FDA Report to the Executive Board of the Conference for Food Protection

April 26-27, 2017 – Richmond, Virginia

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Status of 2016 CFP Meeting Recommendations

In FDA's August 8, 2016 response letter to the Conference, FDA responded to the 42 total recommendations resulting from the 2016 CFP meeting that were sent to FDA.

- FDA conceptually agreed (Concurs) with 16, and partially concurred with 1, of the 25 Part 1 recommendations (Conference Recommendations for Changes to the FDA Food Code).

2016-I-007	IMC 3 – Amend Food Code 4-602.11 (E) (4) Equipment Cleaning Frequency
2016-I-022	Update the definition of Vending Machines
2016-I-023	Shellfish Retail Record Keeping
2016-I-033	Thawing 3-501.13
2016-I-035	Missing reference in 2013 FDA Food Code Section 3-501.19(A)(1)(a)
2016-I-036	Clarifying Date Marking Disposition
2016-I-042	Towel Drying Exception For Equipment Removed From High-Temp Dish Machines
2016-II-004	Imminent Health Hazard: Modify Enforcement & PIC Duties
2016-II-025	Mandatory Food Protection Manager Certification for Persons in Charge
2016-III-002	LRG 2 - Approval of Listeria Retail Guidance Document
2016-III-014	Bandage, Finger Cot, and Stall contamination
2016-III-020	Plant Food Cooking for Hot Holding
2016-III-025	Separating Raw Animal Food from Unwashed Fruits and Vegetables
2016-III-027	Chemicals Used for Washing and Treating Fruits and Vegetables
2016-III-032	Amend Food Code Annex – Clarifying ROP of fish requirements
2016-III-035	Revise Food Code to be Consistent with FSIS Requirements and Guidance

For the following recommendation, FDA partially concurred:

16-III-017	Amend Food Code – Clarify Clean-up of Vomiting and Diarrheal Events

- FDA conceptually agreed on the merits of the recommendations in all 17 of the Part 2 recommendations (Other Recommendations to the Food and Drug Administration) and is considering the availability of agency resources to pursue the recommended actions.

2016-I-012	FRC 2 - Comprehensive Resource for Food Recovery Programs
2016-I-024	Juice HACCP
2016-I-028	Amend Returned Food and Re-Service of Food
2016-I-034	Interpretation of Food Code Section 3-501.17 (A) & (B)
2016-I-038	Raw Animal Foods – Consumer Advisory
2016-I-047	Temporary Food Establishment Inspection Intervals
2016-II-007	PSC 2 - Recommendations from Issue 2014 II-003
2016-II-009	PSC 3 - Recommendations from Issue 2014 II-005
2016-II-010	PSC 5 - Amend Retail Program Standard 7
2016-II-011	Amend VNRFRPS – Standard 4 – Uniform Inspection Program (Part 1)
2016-II-012	Amend VNRFRPS – Standard 4 – Uniform Inspection Program (Part 2)

2016-II-013	Amend FDA VNRFRPS Standard 9 – Program Assessment
2016-II-015	CFSRP 2– Reassign Charges to the Program Standards Committee
2016-II-019	Clarification for Re-standardization in VNRFRPS Standard 2
2016-III-006	HHC 4 - Recommendations to FDA
2016-III-021	Cooking by food temperature
2016-III-022	Slow Continuous Cooking of Raw Animal Foods

- FDA responded it either did not concur or needed to further consider the matter and perhaps consult with the CFP's Executive Board prior to deciding on whether to modify the Food Code in the recommended manner for 8 of the recommendations in Part 1 of the letter.

See FDA's full response on the CFP web site at:
http://www.foodprotect.org/media/biennialmeeting/fda-response-to-cfp-recommendations-2016.pdf

Status: Of the 16 recommendations in Part 1 of the letter, a few are highlighted below for a status update or because of a change in approach to meeting the CFP recommendation.

2016-I-007 IMC 3 – Amend Food Code 4-602.11 (E) (4) Equipment Cleaning Frequency

This recommendation requests that the 2013 Food Code be amended in CH 4 under the provision on equipment food contact surfaces and equipment cleaning frequency to add that certain equipment be cleaned at a frequency specified by the manufacturer, or more frequently, to preclude accumulation of soil or mold.

Upon careful review of the Issue, the Code provision, and the proposed language, it was determined that the recommended language may not provide the clarity requested in the recommended solution. Rather than change the Code at this time, the CFSAN Retail Food Protection Team (RFPT) can better address this Issue by clarifying what the Code currently indicates and its intent in subparagraph 4-601.11(a) and subparagraphs 4-602.11 (4) (a-b) with the issuance of an interpretation into the Food Code Reference System (FCRS).

2016-I-042 Towel Drying Exception For Equipment Removed From High-Temp Dish Machines

This recommendation requests that FDA provide clarification in the Annex and the 2013 Food Code sections 4-901.11 and 4-903.11 to allow towel drying for high temperature dish machines.

Coming out of the Conference and preliminary review we did foresee making a change to the Code. As we began to formulate language that makes sense and try to support it with science, we came back lacking. In review of the Issue as submitted, there was not enough evidence to support the change specific to high temp machines. Our premise is still – air drying provides a prevention step and is often mandated on label use instructions. At this time there was not enough support showing to move in the direction for giving an "OR" situation where one would not have to air dry. With that, RFPT felt the need

to further evaluate the issue and do more research – e.g., literature review etc., to find further supporting evidence to make this change. By not moving now on a change it does not mean we won't in the future. We want to maintain the integrity of the Code as a science- and evidence-based code and at this time for what was provided, that is lacking.

2016-II-025 Mandatory Food Protection Manager Certification for Persons in Charge

This recommendation requests that the 2013 Food Code be amended as follows:

1. Requiring that the Person in Charge be a certified food protection manager who has passed a test that is part of an accredited program, as defined by the FDA Food Code.

2. Provide an exception to requiring the Person in Charge to be a certified food protection manager if the regulatory authority deems the establishment to pose minimal risk of causing or contributing to foodborne illness either at certain times of operation or based on the nature of food preparation.

FDA has been working with the CFP committee on Demonstration of Knowledge and keeping them aware conceptually as we formulate language.

2016-III-035 Revise Food Code to be Consistent with FSIS Requirements and Guidance

This recommendation requests that the 2013 Food Code be amended to:

1. Provide a new definition in Chapter 1 Purpose and Definitions for the term INTACT MEAT to read: "**Intact meat**" means a cut of whole muscle(s) MEAT that has not undergone comminution, injection, mechanical tenderization, or reconstruction.
2. Clarify which criteria apply to INTACT MEAT (cook to 145°F for 15 sec internal temperature).
3. Revise the minimum cooking temperature that applies to mechanically tenderized and injected meats, from 155°F for 15 seconds to 155°F for 17 seconds.
4. Revise the minimum cooking temperature that applies to poultry from 165°F for 15 seconds to 165°F instantaneous.
5. Provide additional time/temperature combinations from Appendix A, the FSIS Guidance on Safe Cooking of Non-Intact Meat Chops, Roasts, and Steaks and the
6. Time-Temperature Tables for Cooking Ready-to-Eat Poultry Products in the Food Code Annexes.

FDA has been working with USDA-FSIS on harmonization issues and remains committed to harmonizing and revising the Code as appropriate.

Status of Interpretations related to 2016 CFP recommendations:

A. The CFP specifically recommended FDA issue an interpretation on:

Issue	Status of Interpretation
2016-I-028 Amend Returned Food and Re-service of Food	**Completed & For review**
2016-I-034 Interpretation of Food Code Section 3-501.17 (A) & (B)	**Cleared & Posted to FCRS**
2016-I-047 Temporary Food Establishment Inspection Intervals	**Pending**

B. The CFP recommended amendments to the Food Code but FDA will instead issue an interpretation on:

Issue	Status of Interpretation
2016-I-007 Amend Food Code 4-602.11(E)(4) Equipment Cleaning Frequency	**Drafted & For review**
2016-III-030 Amend Food Code – Clarify sprouting as a specialized process	**Cleared & Posted to FCRS**

C. No specific recommendations from CFP but FDA issued an interpretation to provide clarification around in-place cleaning and CIP:

Issue	Status of Interpretation
1) 2016-I-020 Add a definition for In-place cleaning, and 2) formation of 2016-2018 CIP committee	**Cleared & Posted to FCRS**

The Food Code Reference System may be accessed at: http://www.accessdata.fda.gov/scripts/fcrs/

Email Alerts for Retail Food Protection Information

FDA has established a free email alert service allows subscribers to receive updated Retail Food Protection information as it becomes available. Among other things, this will include word of new guidance documents, new postings to the Food Code Reference System, and quarterly updates to the Listing of Jurisdictions Enrolled in Voluntary National Retail Food Regulatory Program Standards. To subscribe, valid email address is required. Email will be used to deliver the type of information requested according to the subscriber preferences. CFP members are encouraged to subscribe by visiting the following website: **https://public.govdelivery.com/accounts/USFDA/subscriber/new?topic_id=USFDA_426** Please sign up and share this link with your stakeholders!

2017 Food Code

Work continues on the development of the 2017 Food Code and a Summer 2017 release is anticipated for web release initially and printing will take longer. FDA will be making the changes per the CFP recommendations as noted in the FDA response letter, except where noted herein. Communications Outreach will be through a Constituent Update.

Retail Program Standards

The Retail Program Standards serve as a guide for promoting continuous improvement among retail food regulatory programs administered by state, local, tribal, and territorial agencies. FDA works closely with stakeholders through the Conference for Food Protection to periodically review and update the Retail Program Standards.

Enhancements to the Program Standards Website on the fda.gov continue to highlight the Standards themselves, supporting information and tools, and the listing of enrolled jurisdictions. These can all be accessed at the shortcut: **www.fda.gov/retailprogramstandards**. The website includes a breakdown of the numbers of enrollees from each of the jurisdiction types.

Number of Enrolled Jurisdictions

- As of 3/31/2017, there are 771 jurisdictions enrolled in the Retail Program Standards. This includes 61 State-level agencies (from all but 1 State) and 5 territories. The other 700+ enrollees come from local health departments (county, city, township, and district), tribal organizations, universities and federal agencies. Enrollment has steadily increased over the past few years, from 547 enrolled as of 9/30/2012 to the current 771 enrollees, including the increased by 60 jurisdictions alone between 9/30/2016 and 3/31/2017.

- Nearly 68% (67.90%) of the U.S. population lives in a locality (city, county, parish, etc.) in which the local-level agency primarily responsible for retail food protection is enrolled in the retail program Standards.

Enrolled Jurisdictions with a Current Self-Assessment

- As of 3/31/2017, 56% of enrolled jurisdictions had a current self-assessment (431/771 enrolled jurisdictions). In FY2017, Qtr. 2 there was an increase of 44 in the total number of jurisdictions with a current and completed self-assessment. As of 9/30/2012, 40% of enrolled jurisdictions had a current self-assessment (219/547 enrolled jurisdictions).

Enrolled Jurisdictions with a Current Self-Assessment that Meet 3 or More Standards

- As of 3/31/2017, 20% of enrolled jurisdictions had a current* and completed self-assessment and met 3 or more Standards (151/771 enrolled jurisdictions). As of 9/30/2012, 13% of enrolled jurisdictions had a current self-assessment and met 3 or more Standards (69/547 enrolled jurisdictions).

Enrolled Jurisdictions with a Current Self-Assessment that Meet 5 or More Standards

- As of 3/31/2017, 6% of enrolled jurisdictions had a current* self-assessment and met 5 or more Standards (48/771 enrolled jurisdictions) with an increase of 7 jurisdictions since 9/30/2016. As of 9/30/2012, only 3% of enrolled jurisdictions had a current self-assessment and met 5 or more Standards (18 /547 enrolled jurisdictions).

  *The "current" means that enrollee has at least one activity (such as completed a period of SA, achieved meeting Program Standards, have done verification audit) in recent 5 years (For FY17Q2, it is from 4/1/2012 to 3/31/2017).

For jurisdictions seeking to conform to the Retail Program Standards at this time, use the 2015 version of the Standards found at:
https://www.fda.gov/Food/GuidanceRegulation/RetailFoodProtection/ProgramStandards/ucm245409.htm

2017 Retail Program Standards

FDA announced recently an opportunity for public comment on draft versions of the 2017 Voluntary National Retail Food Regulatory Program Standards (Retail Program Standards). Due to the fact that FDA collects information – we are bound by the Paperwork Reduction Act to submit a renewal every 3 years to OMB for approval to collect information and review of our collection forms. This commenting period we have a revised collection form – no longer 2 forms, but a consolidated form. Comments are welcome specifically for the collection of information. Any comments regarding actual changes to the Program Standards are addressed through our MOU and the Conference for Food Protection process.

They are provided for ***commenting purposes*** only and the comment period closes May 19, 2017 at 11:59pm. See the draft 2017 Retail Program Standards at
https://www.fda.gov/Food/GuidanceRegulation/RetailFoodProtection/ProgramStandards/ucm551511.htm

How to Comment

1. Review the draft documents.
2. Submit comments through May 19, 2017.
   Submit written comments to

Division of Dockets Management (HFA-305),
Food and Drug Administration
5630 Fishers Lane, Room 1061,
Rockville, MD 20852

Submit comments online on
https://www.regulations.gov to docket folder **FDA-2011-N-0017**

Questions? -- For questions regarding this draft document contact the Center for Food Safety and Applied Nutrition (CFSAN) at 240-402-1700.

The 2017 Voluntary National Retail Food Regulatory Program Standards workbook primarily reflects an incorporation of the recently approved changes that resulted from the 2016 Conference for Food Protection meeting held in Boise, ID and changes forwarded by the FDA/CFSAN, Retail Food Policy Team. In addition to these recommendations and changes from FDA, the workbook also contains editorial corrections throughout to correct for spelling, grammar and date errors from previous editions.

A full summary of the DRAFT 2017 Summary of Changes that are out for comment through May 19, 2017 at 11:59 pm can be accessed at:
https://www.fda.gov/downloads/Food/GuidanceRegulation/RetailFoodProtection/ProgramStandards/UCM551610.pdf

The 2017 edition of the Retail Program Standards is scheduled to incorporate the following changes:

- ***Updates to Program Standards Definitions*** **-** The definition for "Training Standard" was updated to include two additional elements related to training and standardization. The training standard definition now includes two new elements addressing completion of 20 contact hours of continuing education in food safety every 36 months after the initial training is completed as outlined in Standard 2, and maintenance of standardization every three years as outlined in Standard 2.

- ***Updates to Standard 2- Trained Regulatory Staff*** **-** Standard 2 applies to the essential elements of a training program for regulatory staff. Under Step 4: Food Safety Inspection Officer –Field Standardization, a re-emphasis was made regarding field standardization and re-standardization criteria allowing the flexibility to adhere to the regulations and ordinances germane to the jurisdiction along with a reference to using standardization procedures similar to the FDA procedures for Standardization of Retail Food Inspection Training Officers.

- ***Updates to Standard 4 – Uniform Inspection Program*** **-** Standard 4 applies to the jurisdiction's internal policies and procedures established to ensure uniformity among regulatory staff in the interpretation of regulatory requirements, program policies and compliance/enforcement activities. The changes reflect recommendations provided in the Uniform Inspection Program – Audit Pilot Project Report while also providing greater flexibility, improved program quality assessment and greater consistency between Program Standards 2 and 4. A key change includes:

- More closely aligned Program Elements described in Program Standard No. 4 with the Performance Elements and Competencies contained in the Standard No. 2 - CFP Field Training Plan for new hires or staff newly assigned to the retail food protection program. This alignment process has resulted in 20 Program Elements.

- ***Updates to Standard 7: Industry and Community Relations*** - Standard 7 applies to the Industry and Community Relations outreach activities used by a retail food regulatory program to solicit a broad spectrum of input about a retail food regulatory program's previous, current and future activities. In order to assess conformance with industry and consumer interaction for Standard 7, enrolled jurisdictions may now include additional forms of two way communications such as food safety task force meetings, advisory boards, advisory committees, customer surveys, web based meetings or forums or other mechanisms. The educational outreach component of Standard 7 now allows the usage of oral culture learner materials that increase the awareness of the foodborne illness risk factors and control methods to prevent foodborne illness.

- ***Updates to the Standard 9: Program Assessment*** - The Standard 9 criteria for an enrolled jurisdiction's risk factor study now include facility categories rather than facility types as stated in previous editions. The four categories have replaced the nine facility types. The four facility categories are:
  1. Health Care,
  2. Schools (K-12)
  3. Restaurants
  4. Retail Food Stores.

Upcoming Events with the Retail Program Standards

- **FDA National Retail Food Regulatory Program Standards Self-Assessment and Verification Audit Workshops** – Washington State (April 18-20, 2017) and South Padre Island, TX (April 24 - 26, 2017). Another workshop was also recently held in March in Wilmington, North Carolina and in February in Iowa.

Opportunities to Improve Program Standards Implementation

Retail Program Standards Mentorship Program

A Retail Program Standards Mentorship Program administered by National Association of County and City Health Officials (NACCHO) under a cooperative agreement with FDA continues to be well received by the participating local health departments (LHD). The 6th Cohort kicked off in November 2016 and includes 31 participants. FDA attended a site visit with some of the participants on April 6-7, 2017. Since 2012, FDA has invested over $1.4 million in the Mentorship Program which has provided 124 awards to retail food regulatory programs. The response from all participants in the Mentorship Program has been overwhelmingly positive. More information about the mentorship program is available at **http://www.naccho.org/topics/environmental/foodsafety/retail/**

FDA is considering ways to best position the Retail Program Standards to enhance the manner in which State and locals engage one another and promote mutual progress toward achieving the objectives of the Program Standards. The Conference for Food Protection may be able to play an important role in exploring the opportunities.

2017 Retail Program Standards Grant Program

FDA and the Association of Food and Drug Officials (AFDO) announced the successful completion of the application period for the 2017 AFDO-administered Retail Program Standards Grant Program. The program provides funds for the completion of projects and training to enhance conformance with Retail Program Standards.
Each year, grant funding is open to State, local, territorial, and tribal regulatory retail food programs that have enrolled in the Retail Program Standards. Project categories for the 2017 funding year include:

- **Small Projects** up to $3,000, for jurisdictions to complete: a self-assessment of all nine Standards, small projects related to meeting one or more Standards, a verification audit or audits, or custom projects that increase a jurisdiction's conformance with the standards;
- **Moderate Projects**, $10,000-$20,000, for more ambitious projects that further conformance with the Retail Program Standards (computer software systems, risk factor studies, development of a written compliance program, training events, etc.);
- **Training** up to $3,000, for jurisdiction staff to meet the requirements of Standard 2 (Step 1 & 3 Curriculum or CEU maintenance) or to attend FDA Regional Seminars to maintain FDA Standardization; and
- **Food Protection Task Force Support Projects** up to $3,000 per award. The goal of this category is to advance conformance with the Retail Program Standards by supporting attendance at Food Protection Task Force activities (or similar Food Advisory Board/Council activities, whether Task Force/Board/Council is supported by an FDA grant or not).

Approximately $2 Million in funding was available for this granting year. For more information visit Retail Food Safety Grants Website at **http://afdo.org/retailstandards**.

The Advancing Conformance with the Voluntary National Retail Food Regulatory Program Standards Cooperative Agreement Cohort 3 funding opportunity posted March 14, 2017. The link is: **https://grants.nih.gov/grants/guide/rfa-files/RFA-FD-17-007.html**

The Funding Opportunity Announcement (FOA) Number is RFA-FD-17-007 and the FOA Purpose is to achieve the intended outcome of this FOA which is to advance efforts for a nationally integrated food safety system by assisting retail food regulatory programs in achieving conformance with the Retail Program Standards. These cooperative agreements are intended to assist regulatory food retail programs in developing, implementing, and improving the infrastructure necessary to support conformance with the Retail Program Standards. FDA/ORA intends to fund up to $2,300,000, for fiscal year 2017 in support of this grant program. It is anticipated that up to 33 awards will be made, not to exceed $70,000 in total costs (direct plus indirect), per award.

Key Dates: Open Date (Earliest Submission Date): March 31, 2017
Letter of Intent Due Date(s): April 14, 2017 -- Extended to May 2, 2017
Application Due Date(s): May 15, 2017, by 11:59 PM Eastern Time. – Extended to May 31, 2017

FDA Retail Risk Factor Study

FDA Report on the Occurrence of Foodborne Illness Risk Factors in Fast Food and Full-service Restaurants, 2013-2014

FDA has analyzed the data from the restaurant data collection in 2013-2014 and the FDA Report on the Occurrence of Foodborne Illness Risk Factors in Fast Food and Full-service Restaurants, 2013-2014 is under senior manager review. Outreach is planned via Constituent Update and Social media. In addition to the full report, FDA will also issue informative fact sheets that will help the public understand key findings in an easier format.

The 2nd data collection period for restaurants is scheduled from October 1, 2017 to September 30, 2018.

Retail Food Store, Health Care and School Data Collection

In December 2016, FDA completed its 15-month data collection (October 2015 thru Dec. 2016) in randomly selected Health Care (Hospitals and Long-Term Care facilities); Schools (schools K-12); and Retail Food Stores (retail stores that have a Deli, plus produce and seafood). As with the restaurant study, FDA Retail Food Specialists were the data collectors and reached out to the state or local regulatory authority having jurisdiction to gather information about their program and to facilitate access to the establishments. Also, as with the Restaurant Study, the data collection goes beyond simply observations of food safety practices, it included a limited assessment of food safety management systems that may be present and collected more information about the operation itself, such as whether the facility is part of multi-unit chain, the level activity at the time of the visit and policies and practices regarding certified food protection managers. The report for these three sectors is targeted for roughly 1-2 years after completion of the data collection.

Regional Food Protection Seminars

CFP members and all interested in Food Safety are encouraged to attend the annual Food Protection Seminars held in each of the five FDA regions. Much of the agendas for these seminars address topics that are important to the mission and activities of the Conference for Food Protection.

Northeast Region Seminar
Dates: August 23 – 25, 2017
Location: South Burlington, Vermont
Primary FDA Contact: Al Pistorio, 781-587-7427, **alfred.pistorio@fda.hhs.gov**

Central Region Seminar
Dates: September 19 – 21, 2017
Location: Minneapolis, MN
Primary FDA Contact: Greg Abel, 612-758-7199, **greg.abel@fda.hhs.gov**
2017 FDA Regional Retail Food Safety Seminar & NEHA Region 4 Conference

Southeast Region Seminar
Dates: October 17 – 19, 2017
Location: Wilmington, NC
Primary FDA Contact: Donna Wanucha, 678-616-5600, **donna.wanucha@fda.hhs.gov**

Southwest Region Seminar
Dates: September 18-21, 2017
Location: Kansas City, MO
Primary FDA Contact: Cindy Kunkel, 913-752-2401, **Cynthia.kunkel@fda.hhs.gov**

Pacific Region Seminar
Dates: September 26-28, 2017
Location: Spokane, Washington
Primary FDA Contact: Kathryn Kennedy, 503-671-9711 X 16, **Kathryn.Kennedy@fda.hhs.gov**

What's New in FSMA

Actions implemented under the FSMA, including those from January – April 2017 can be viewed on the FDA web page at: **https://www.fda.gov/food/guidanceregulation/fsma/ucm257986.htm**

Recent actions on the Sanitary Transportation of Human and Animal Food rule are highlighted below.

When the Sanitary Transportation of Human and Animal Food rule was proposed, the FDA said it intended to waive the rule's requirements in certain cases in which they would not be needed to further protect foods from becoming unsafe.

Waivers – FDA announces the publication of three waivers on April 5, 2017

The Sanitary Food Transportation Act (SFTA) allows the agency to waive the requirements of this FSMA rule if it determines that the waiver will not result in the transportation of food under conditions that would be unsafe for human or animal health, or contrary to the public interest.

The FDA has published three waivers for businesses whose transportation operations are subject to separate Federal-State or local controls. They include:

- Businesses that hold valid permits and are inspected under the National Conference on Interstate Milk Shipments' Grade "A" Milk Safety Program, only when engaged in transportation operations involving bulk and finished Grade "A" milk and milk products.

- Businesses that are permitted or otherwise authorized by the regulatory authority to operate a food establishment that provides food directly to consumers (including restaurants, retail food establishments, and nonprofit food establishments, as defined in 21 CFR 1.227), only when engaged in transportation operations as:

    - Receivers, whether the food is received at the establishment itself or at a location where the authorized establishment receives and immediately transports the food to the food establishment;

    - Shippers and carriers in operations in which food is transported from the establishment as part of the normal business operations of a retail establishment, such as:
        - delivery of the food directly to the consumer(s) by the authorized establishment or a third-party delivery service or
        - delivery of the food to another location operated by the authorized establishment or an affiliated establishment where the food is to be sold or served directly to the consumer(s).

- Businesses that are appropriately certified and are inspected under the requirements established by the Interstate Shellfish Sanitation Conference's National Shellfish Sanitation Program (NSSP), only when engaged in transportation operations involving molluscan shellfish in vehicles that are permitted by the State NSSP certification authority.

The FSMA rule on Sanitary Transportation of Human and Animal Food is part of the FDA's effort to protect foods from farm to table by keeping them safe from contamination during transportation. The rule establishes requirements for shippers, loaders, carriers by motor or rail vehicle, and receivers involved in transporting human and animal food.

These waivers were published after being described in the proposed and final rule. FDA considered comments on the waivers and found that the waivers would not result in the transportation of food under conditions that would be unsafe for human or animal health, or contrary to the public interest.

More information regarding the Sanitary Transportation rule (including a discussion of the comments we received on these waivers), and any of the FSMA provisions, is available at **www.fda.gov**.

See the April 5, 2017 Constituent Update on the SFTA Waivers at
https://www.fda.gov/Food/NewsEvents/ConstituentUpdates/ucm548729.htm

Respectfully submitted to the CFP Executive Board by Glenda R. Lewis, April 26-27, 2017.