

**Conference for Food Protection
2016 Issue Form**

Issue: 2016 I-028

Council Recommendation: Accepted as Submitted _____ Accepted as Amended _____ No Action _____

Delegate Action: Accepted _____ Rejected _____

All information above the line is for conference use only.

Issue History:

This is a brand new Issue.

Title:

Amend Returned Food and Re-Service of Food

Issue you would like the Conference to consider:

Request an interpretation from FDA that clarifies the intent of the 2013 Food Code Section 3-306.14(A) allowing for food that is immediately served and in possession of a consumer to be returned for further cooking before being returned to the same consumer.

Public Health Significance:

Food that is returned by the consumer after immediate service for further cooking, would not pose a risk when cooked to a higher temperature and returned to the same consumer.

Any potential contamination would be eliminated by the temperature of the cooking equipment, such as a grill. Separate single use utensils may be used for a returned item and then wash, rinsed, sanitized and air dried.

Recommended Solution: The Conference recommends...:

that a letter be sent to FDA requesting an interpretation that clarifies/explains Section 3-306.14(A) of the 2013 Food Code and allows for return of food that is immediately served to a specific consumer back to the same consumer after further cooking. The letter shall also request that FDA post their final interpretation document to the FDA Food Code Reference System.

Submitter Information:

Name: Christopher Melchert
Organization: National Restaurant Association
Address: 2055 L Street NWSuite 700
City/State/Zip: Washington, DC 20036
Telephone: 202-973-3960
E-mail: cmelchert@restaurant.org

It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.