

**Conference for Food Protection
2016 Issue Form**

Issue: 2016 I-046

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:

Removing the Reference to Restricted Use Pesticides in 7-202.12(B)(2)

Issue you would like the Conference to consider:

Section 7-202.12(B)(2) of the 2013 FDA Food Code provides basic requirements to prevent pesticide contamination in food establishments. However, the requirements are limited Restricted Use Pesticides. Most pesticides being used in food establishments are not Restricted Use Pesticides, as labeled per EPA regulations.

Although pesticides labeled for use in food establishments will have use directions that require taking these precautions, having the requirements in the Food Code eliminates the need to document the label use directions in instances where the precautions are not taken.

Public Health Significance:

Extending the pesticide use requirements in Section 7-202.12(B)(2) to include General Use Pesticides will further reduce the chance of pesticide contamination of food.

Recommended Solution: The Conference recommends...:

a letter be sent to the FDA requesting the 2013 Food Code be amended as follows (language to be deleted is in strikethrough format):

7-202.12 Conditions of Use.

POISONOUS OR TOXIC MATERIALS shall be:

(A) Used according to:

(1) LAW and this Code,

(2) Manufacturer's use directions included in labeling, and, for a pesticide, manufacturer's label instructions that state that use is allowed in a FOOD ESTABLISHMENT, ^P

(3) The conditions of certification, if certification is required, for use of the pest control materials, ^P and

(4) Additional conditions that may be established by the REGULATORY AUTHORITY; and

(B) Applied so that:

(1) A HAZARD to EMPLOYEES or other PERSONS is not constituted, ^P and

(2) Contamination including toxic residues due to drip, drain, fog, splash or spray on FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES is prevented, and ~~for a RESTRICTED-USE PESTICIDE~~, this is achieved by: ^P

(a) Removing the items, ^P

(b) Covering the items with impermeable covers, ^P or

(c) Taking other appropriate preventive actions, ^P and

(d) Cleaning and SANITIZING EQUIPMENT and UTENSILS after the application. ^P

Submitter Information:

Name: Adam Inman
Organization: Kansas Department of Agriculture
Address: 1320 Research Park Drive
City/State/Zip: Manhattan, KS 66502
Telephone: 7855646764
E-mail: adam.inman@kda.ks.gov

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.