

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-032**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

*All information above the line is for conference use only.*

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**Issue History:**

This issue was submitted for consideration at a previous biennial meeting, see issue: 2018-II-016; the recommended solution has been revised.

**Title:**

Amend VNRFRPS Standard 6, Compliance and Enforcement

**Issue you would like the Conference to consider:**

Allow jurisdictions to assess the effectiveness of their compliance and enforcement program using an alternative sampling method that provides the same level of statistical confidence as the prescribed method in VNRFRPS Standard 6.

**Public Health Significance:**

The VNRFRPS offers a systematic approach through a continuous improvement process, to enhance retail food regulatory programs. The primary role of the CFP Program Standards Committee is to indirectly assist enrolled jurisdictions in making progress towards meeting the VNRFRPS Standards. The Committee has identified that this alternative proposal will assist agencies that are dually enrolled in both the VNRFRPS and the Manufactured Food Regulatory Program Standards (MFRPS) to maintain conformance while protecting public health.

**Recommended Solution: The Conference recommends...:**

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that a letter be sent to the FDA requesting that the Voluntary National Retail Food Regulatory Program Standards (VNRFRPS), Standard 6 - Compliance and Enforcement be amended as follows:

1. Allow jurisdictions to assess the effectiveness of their compliance and enforcement program using an alternative sampling method that provides the same level of statistical confidence as the prescribed method in VNRFRPS Standard 6.

a) Amend Standard 6, Documentation, by adding additional options #5 and #6 (language to be added is underlined):

5. If necessary, a copy of the jurisdiction's established written procedures used to measure the effectiveness of the compliance and enforcement program

6. If necessary, statistical confidence level documentation from a statistician

b) Amend Standard 6 Instructions and Worksheet for Conducting a Self-Assessment, Step 2, as follows (language to be deleted is in strikethrough format; language to be added is underlined):

STEP 2 - Assess the Effectiveness of the Compliance & Enforcement Program

~~Randomly selected establishment files will be reviewed to determine if documented violations were resolved satisfactorily in the establishment. The results of the review will be used to assess the success of the compliance and enforcement program. This section of the self-assessment process has been broken down into the following four parts:-~~

Each jurisdiction shall measure the effectiveness of their compliance and enforcement program by either reviewing each inspection when a FBI Risk Factor or Public Health intervention was marked out of compliance or by using a statistical method to determine if the jurisdiction has satisfactorily resolved FBI Risk Factor and Public Health Intervention violations. The jurisdiction shall establish written procedures that:

- Describe the compliance and enforcement review process;
- Include a review of the routine inspections that have at least one Foodborne Illness or Public Health Intervention Violation marked OUT of compliance. The number of inspections reviewed and method of selection must provide a statistical confidence level equal to or greater than the published Standard 6 statistical model; and
- Include supporting documentation and worksheets. If a jurisdiction does not wish to establish independent written procedures, the jurisdiction may use the method set forth in Parts I-IV

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