

**Conference for Food Protection
2020 Issue Form**

Issue: 2020 I-015

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 Code to Include authority to conduct foodborne illness investigations

Issue you would like the Conference to consider:

We would like for the U.S. Food and Drug Administration (FDA) to add language to provide the authority for a regulatory and/or health authority to investigate reports of foodborne illness.

Currently, the Food Code does not provide an explicit authority for regulatory/health authorities to gather information for a foodborne illness investigation. It contains authorities to gather information on code compliance (what is currently occurring) for plan review (what will occur in the future) but lacks the explicit authority to look at what happened in the past (which is the primary focus of a foodborne illness investigation).

Furthermore, FDA Voluntary National Retail Food Program Standards (VNRFPS) standard 5 assesses whether a regulatory program has developed policies to investigate foodborne illness. These policies implicitly rely on States' public health authorities for preventing disease transmission. Creating this explicit authority in the Food Code will ensure that all jurisdictions that adopt the Food Code will have the same baseline authority to investigate foodborne illness.

Public Health Significance:

Every year in the United States there are millions of cases of foodborne illness (Scallan et al., 2011), and a majority of these cases are attributable to food establishments (Jones & Angulo, 2006). Investigation of these reports of illness is of paramount importance to: a) stop additional people from being exposed and becoming ill; b) understand the system failure within a food establishment that led people to become ill; and c) identify a source of contaminated food that may have entered the food establishment.

The Food Code appendix 2's supporting documents reference the Voluntary National Retail Food Program Standards along with the Council to Improve Foodborne Outbreak Response's Guidelines for Foodborne Outbreak Response. Both documents include the need for investigating foodborne illness outbreaks.

Conducting investigations into how people became sick is an integral part of a food safety program. By understanding the system failures that resulted in a foodborne outbreak, practices can be changed to prevent the failure from happening in the future. Because of the investigation's importance, FDA includes this subject matter in VNRFPS standard 2 under the epidemiology construct and IFPTI includes this as a foundational element for the basic competency level. Additionally, the important nature of this work has developed additional advanced courses (e.g., FDA ER324 Epi-Ready for Response Teams, and CDC's Environmental Assessment Training Series).

Jones, T. F., & Angulo, F. J. (2006). Eating in Restaurants: A Risk Factor for Foodborne Disease? *Clinical Infectious Disease*, 43, 1324-1328. doi:1058-4838/2006/4310-0017

Scallan, E., Hoekstra, R. M., Angulo, F. J., Tauxe, R. V., Widdowson, M. A., Roy, S. L., . . . Griffin, P. M. (2011). Foodborne illness acquired in the United States--major pathogens. *Emerg Infect Dis*, 17(1), 7-15. doi:10.3201/eid1701.091101p1

Recommended Solution: The Conference recommends...:

The Conference recommends....

that a letter be sent to the FDA requesting that Chapter 8 of the most current published version of the Food Code be amended to include:

8-102.10 (C)

The REGULATORY AUTHORITY shall be provided access to all facilities, EQUIPMENT, FOOD, personnel, and existing records when needed during a foodborne illness investigation.

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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.