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COMMITTEE NAME: Heat-Treated Committee

DATE OF REPORT: *Initial fall progress report* *Spring progress report* *Second fall progress report*

Date submitted: [Click here to enter a date.](#) **Date amended (if applicable):** [Click here to enter a date.](#) **Date accepted by Executive Board:** [Click here to enter a date.](#)

COMMITTEE ASSIGNMENT: *Council I* *Council II* *Council III* *Executive Board*

REPORT SUBMITTED BY: Mary Yavelak and Eric Carlson (Committee Leadership), Chip Manuel and Amanda Garvin (Council III Chair and Vice-Chair)

COMMITTEE CHARGE(S):

Issue # III-021 stated that a Heat-Treated Committee be formed with the following charges:

1. Identifying and evaluating risk-based literature that aids in defining a temperature threshold for what is considered heat treatment for all types of foods.
2. Developing a definition for "heat-treated" that will adequately convey the risk and will clarify which processes seen at retail result in a food product being TCS. As part of this definition, it is recommended to also clarify the meaning of "heat-treated to destroy vegetative cells" as it appears in Table A in Paragraph 1-201.10(B) to also include an additional temperature for plant foods that do not have a final cook temperature in Section 3-401.11.
3. Determining appropriate methods of sharing the committee's work, including but not limited to a recommendation that a letter be sent to the FDA recommending the most recent version of the FDA Food Code to include the newly formed definition for "heat-treated" as referenced in Paragraph 1-201.10(B) where Time and Temperature Control for Safety Foods is defined and "heat-treated to destroy vegetative cells" as referenced in Table A of this definition.
4. Report the committee's findings and recommendations at the next biennial meeting.

COMMITTEE WORK PLAN AND TIMELINE:

A kickoff meeting was held on October 20, 2023. At this meeting, the Committee decided to meet on the third Friday of every month at 2pm Eastern time.

1. The charges were discussed, and the Committee decided to work on them in order.
2. Subgroups are working through charge 1 and will be completed by July in order to update the Executive Board in the August report. This charge is a very broad charge, and the research done during this phase of committee work is all that will inform the Committee during the development of definitions in charge 2. For this reason, the Committee will take the time before the next report to review research including looking through literature and inviting speakers from various constituencies to ensure that the Committee is well-versed on the science behind heat-treatment before drafting definitions.
3. Charge 2 will take the remainder of the committee time and will be accomplished by subgroups that will each be responsible for drafting one definition. This charge will be completed by the final committee report.
4. Charge 3 will also be completed concurrently with charge 2 and submitted to the Council Chairs with the final committee report.
5. Final charges are to be completed in Spring 2025 during the 2025 Biennial Meeting.

COMMITTEE ACTIVITIES:

1. **Dates of committee meetings or conference calls:**

October 20, 2023; November 17, 2023; December 15, 2023; January 19, 2023; February 16, 2023

2. **Overview of committee activities:**

- a. At the kickoff meeting, the charges for this Committee were discussed and members brought forth examples seen in retail establishments that are complicated due to the current lack of a definition for heat-treated. The main takeaway was that regulators cannot have a consistent interpretation of when a product becomes TCS if heat-treated is not defined. Special processes were also discussed because regulators must know when something is operating outside of the normal Food Code guidelines, and determining TCS status is a large part in that. Industry members brought up the need for this definition in clarifying how to handle certain products based on their questionable status of being TCS and whether accumulated heat would make a product TCS.
 - b. At subsequent meetings, the charges were discussed to provide clarity to all members on the issue the Committee is charged to solve. As part of the discussions on the charges, members brought up that charge 1 may be too broad for the scope of this Committee, as the issue seen at retail is inconsistent interpretation in determining whether heat-treatment makes a food TCS, and there are some foods that will be TCS no matter if heat is applied. For this reason, the Committee is asking the Executive Board to clarify or amend charge 1, as stated later on in this report.
 - c. Two subgroups were formed at the November meeting that are focused on 1) the non-lethality effects of heating on foods (such as water absorption, cell wall destruction, etc.) and 2) the lethality effects of heating that would lend to a potential temperature suitable to destroy vegetative cells in non-animal foods. These subgroups support the two proposed definitions found in charge 2, “heat-treated” and “heat-treated to destroy vegetative cells”, respectively. The Committee is currently in the process of literature review for these two topics and will continue to research risks associated with products that have direct or indirect heat applied and the best way to incorporate that into a definition for consistent interpretation.
3. **Charges COMPLETED and the rationale for each specific recommendation:**
- a. All committee Charges are still in progress.
4. **Status of charges still PENDING and activities yet to be completed:**
- a. Charge 1 – The Committee has begun a literature review on this topic but would like to ask for an amendment to this charge (submitted below). After the charge is clarified, the resulting literature can assist in analyzing hazards for the resulting products and changes to foods during heating, which prepares the committee to move to charge 2.
 - b. Charge 2 – After charge 1 is complete, the Committee can begin to work in subgroups to develop the 2 definitions that are part of the charge.
 - c. Charge 3 – The resulting definitions from completing charge 2 will be written as a committee issue for the 2025 Biennial Meeting.
 - d. Charge 4 – The Committee will complete this charge at the 2025 Biennial Meeting.

COMMITTEE REQUESTED ACTION FOR EXECUTIVE BOARD:

- Board Action is NOT required and therefore the report can be placed on the consent calendar for Board review and acceptance.**
- Board Action is required for some provision(s) of this report and therefore a verbal report needs to be presented at the Board Meeting.**
1. The Committee would like to request the approval of an amendment to the first charge that replaces “all types of foods” with “non-animal foods”. The Committee came to an agreement that animal foods are TCS both before and after cooking, so determining a temperature threshold does not affect when that product becomes TCS, which is what the issue is intended to clarify. The committee is open to any other language for this charge that helps clarify this point. The amended Charge is listed below:

Issue # III-021 stated that a Heat-Treated Committee be formed with the following charges:

- Identifying and evaluating risk-based literature that aids in defining a temperature threshold for what is considered heat treatment for ~~all types of~~ non-animal foods.
2. The Committee would like to request the approval of the following roster changes to the committee voting membership:
 - a. Replacing Shane Green (State Regulatory) with Susan Kendrick (State Regulatory) as a voting member. Shane had to withdraw from voting membership duties. While Susan is an active member on another committee, we could not find another state regulator willing to fulfill Shane's vacancy, as

this is the second time we have had to fill a State Regulatory active member slot. If the Board does not approve the promotion of Susan to active member because of status on another committee, the Committee would like to request assistance with finding another active member in the state regulatory constituency.

- b. Replacing Dawn Borwegen (State Regulatory) with Kory Skelton (State Regulatory) as a voting member. Dawn declined the initial invitation to join the Committee due to other committee responsibilities. At that time, the only alternate in the State Regulatory constituency was Susan Kendrick, who is active on another committee. After consulting with Christine Sylvis, we decided to revisit CFP members who were interested in this Committee but had not been chosen as a voting member on any committee. Kory accepted the invitation and has been attending meetings as a member since the Committee's first meeting.
- c. Replacing Ferah Jaura (Local Regulatory) with Rafael Morales (Local Regulatory) as a voting member. Ferah had to withdraw from the Committee, and Rafael was an alternate in the same constituency.
- d. Removing Uzoma Anyanwu (Local Regulatory) as an alternate member. Uzoma declined the initial invitation due to other committee responsibilities and was not replaced.
- e. Updating FDA consultants per requests from FDA.

ATTACHMENTS:

1. Content Documents:

- a. **Committee Member Roster:** See changes noted above under "requested action" No changes to previously approved roster
"Committee Members Template" (Excel) available at: www.foodprotect.org/work/ Committee roster to be submitted as a PDF attachment to this report.
- b. **Committee Generated Content Documents (OPTIONAL):** No draft content documents submitted at this time

2. Supporting Attachments (OPTIONAL): Not applicable

Committee Name: Heat Treated Committee (Council III)

Voting Members

Last Name	First Name	Position on Committee	Constituency	Employer	City	State	Phone	Email
Yavelak	Mary	Chair	Academia	NC State University	Raleigh	NC		mkyavela@ncsu.edu
Carlson	Eric	Co-Chair	Regulatory - State	New Mexico Environment Department	Las Cruces	NM		eric.carlson@state.nm.us
Beckett	John	Member	Industry - Retail Food	Publix	Miami	FL		john.beckett@publix.com
Burns Savage	Nikki	Member	Regulatory - Local	Southern Nevada Health Department	Las Vegas	NV		burns-savage@snhd.org
Denicola	Allen	Member	Regulatory - Local	Mecklenburg County Public Health	Charlotte	NC		allen.denicola@mecklenburgcountync.gov
Kendrick	Susan	Member	Regulatory - State	Oregon Department of Agriculture	Salem	OR		susan.kendrick@oda.oregon.gov
Kocurek	Dawn	Member	Regulatory - Local	Clark County Public Health	Vancouver	WA		dawn.kocurek@clark.wa.gov
Modi	Rupesh	Member	Industry - Retail Food	Hissho Sushi	Charlotte	NC		rmodi@hisshosushi.com
Morales	Rafael	Alternate	Regulatory - Local	Harris County Public Health	Houston	TX		rafael.morales@phs.hctx.net
Patton	Travis (Randall)	Member	Regulatory - State	Kentucky DPH-Food Safety Branch	Frankfort	KY		travist.patton@ky.gov
Prince	Gale	Member	Industry - Support	SAGE Food Safety, LLC	Cincinnati	OH		gale@galeprince.com
Rowat Kraiss	Janet	Member	Industry - Processing	The Suter Company / Refrigerated Foods Association	Sycamore	IL		jrowatkraiss@suterco.com
Skelton	Kory	Member	Regulatory - State	Arizona Department of Health Services	Phoenix	AZ		kory.skelton@azdhs.gov
Villagomez	David	Member	Industry - Retail Food	Retail Business Services Ahold-Delhaize	Schodack Landing	NY		david.villagomez@retailbusinessservices.com

Non-Voting Members

Last Name	First Name	Position on Committee	Constituency	Employer	City	State	Phone	Email
Vought	Rebecca	FDA Consultant	Regulatory - Federal					rebecca.vought@fda.hhs.gov
Touhey	Michael	FDA Consultant Back up	Regulatory - Federal					michael.touhey@fda.hhs.gov
No appointee		USDA Consultant	Regulatory - Federal					
No appointee		CDC Consultant	Regulatory - Federal					
Buckley	David	Alternate	Industry - Support	Diversey	Fort Mill	SC		david.buckley@diversey.com
Edwards	Tara	Alternate	Regulatory - Local	Southern Nevada Health Department	Las Vegas	NV		edwards@snhd.org
O'Donnell	Kathleen	Alternate	Industry - Retail Food	Wegman's	Rochester	NY		kathleen.odonnell@wegmans.com
Salinas	Sabrina	Alternate	Regulatory - Local	Harris County Public Health- Environmental Public Health	Houston	TX		sabrina.salinas@phs.hctx.net
Thesmar	Hilary	Alternate	Industry - Retail Food	FMI	Arlington	VA		hthesmar@fmi.org
Thoma	Libby	Alternate	Industry - Retail Food	H-E-B	San Antonio	TX		thoma.libby@heb.com
West Perry	George	Alternate	Industry - Food Service	Wing Stop	Addison	TX		gperry@wingstop.com
Yale	Lary	Alternate	Industry - Processing	Active Food Safety	Lufkin	TX		yalelaryjr@izitclean.com

Note: Minimum council committee size is 11 (as noted above): 1-Chair; 1-Vice Chair; 1-State; 1-Local; 2-Industry; 1-Academia; 1-Consumer; 3-Any constituency with emphasis on expertise; Maximum council committee size is 23 voting members: 1-Chair; 1-Vice Chair; 4-State; 4-Local; 8-Industry; 1-Academia; 1-Consumer; 3-Any constituency with emphasis on expertise; 36 -Non-voting alternates. Membership on standing committees is defined by the Executive Board. On all CFP committees, the committee chair, co-chair(s), and vice chair(s) all count towards constituency balance.