

The 2009 FDA Food Code is Now Available!

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On November 9, the Food and Drug Administration published the 2009 version of the FDA Food Code. A full version of the Food Code is published every 4 years with supplements being published at two-year intervals in between. The 2009 edition is the first full version of the Food Code to be published since 2005. You may obtain a copy of the 2009 Food Code at the FDA retail food safety website at:
<http://www.fda.gov/Food/FoodSafety/RetailFoodProtection/FoodCode/FoodCode2009/>.

There are a considerable number of changes in the 2009 version of the FDA Food Code. A summary of all of the changes can be found in the "Summary" section that appears in the Code after Annex 7. It is the last 10 pages of the 2009 FDA Food Code. In a statement released by FDA on November 9, 2009, six significant changes were identified:

- 1) Each provision in the FDA Food Code is now designated as a "Priority Item," a "Priority Foundation Item," or a "Core Item," to assist the industry and regulatory community in prioritizing their food safety interventions and inspections. These designations are based on a qualitative risk assessment and replace the use of "Critical" and "Non-Critical" designations in previous editions of the FDA Food Code.
- 2) Cut leafy greens are now included among the foods that require time and temperature control for safety and a new supporting reference document, "*Recommendations to Food Establishments for Serving or Selling Cut Leafy Greens*," is summarized in Annex 2 of the Code.
- 3) Requirements are added to improve food worker awareness of food allergen concerns in the food service and retail setting.
- 4) Serving hamburgers and other ground meats in an undercooked form upon a consumer's request is no longer an option for items offered on a children's menu.
- 5) A new section was added to the 2009 FDA Food Code that provides a definition and criteria for the non-continuous cooking of foods comprised of raw animal products to address the safety of this cooking method.
- 6) Several requirements related to the effective cleaning and sanitizing of equipment and surfaces are enhanced or clarified.

The FDA Food Code is intended to be a national model code and reference document that provides a scientifically sound technical and legal basis for regulating the retail food establishment segment of the food industry. State, city, county, tribal, and territorial agencies regulate more than 1 million retail food establishments nationwide (including restaurants, retail food stores, vending, and foodservice operations in institutions such as schools, hospitals, nursing homes, and child care centers). The FDA Food Code

provides the basis for most of those agencies' licensing, inspection, and enforcement activities, and serves as a model for their food statutes, regulations, and ordinances. The FDA Food Code is intended to establish practical, science-based guidance and enforceable provisions for the risk factors that are known to cause foodborne illness.

The FDA Food Code is a key component of President Obama's overall public health-focused food safety framework for maintaining a safe food supply. Among the key findings of the Food Safety Working Group created by President Obama was the need to modernize statutes that require effective sanitation and preventive controls in food establishments. An increasingly globalized food supply chain, the aging of our population, increases in the number of immune-compromised individuals, and the trend toward greater consumption of foods prepared outside the home demand sustained vigilance by industry and the regulatory community to promote food safety in retail and foodservice establishments.

Implementation of the FDA Food Code also supports many of the food safety objectives of Healthy People 2010, the comprehensive, nationwide set of health promotion and disease prevention objectives designed to serve as a 10-year strategy for improving health in the United States. Healthy People 2010 objectives include reducing infections caused by foodborne pathogens, reducing outbreaks of foodborne illness, and improving food employee behaviors and food preparation practices that directly relate to foodborne illness in retail food establishments. Similar objectives are planned for the next generation of the initiative, Healthy People 2020.

Many of the changes in the 2009 Food Code had their origin in issues presented to the Conference for Food Protection (CFP). The CFP provides a venue for the discussion of important retail food safety issues. These discussions and the consensus building activities (with regulatory agencies, the food industry, academicians, and consumers) of the CFP bring forward positive change and recommendations in the FDA Food Code. The next CFP meeting will be held April 10-14, 2010, in Providence, Rhode Island. I invite you to visit the CFP website at <http://www.foodprotect.org/> to follow important retail food safety activities, and I look forward to seeing you at the CFP meeting next spring.