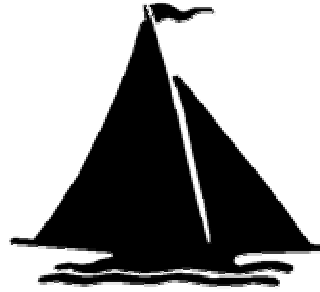


S.A.I.L.

State Action Information Letter

Published by the Division of Federal-State Relations
Office of Regulatory Affairs
Food and Drug Administration



Spring 2003

Editor: Cynthia C. Leggett

Design: Ada Y. Nelson

News from the Director

Recently, FDA's Center for Food Safety & Applied Nutrition (CFSAN), hosted an international satellite conference on the first of four regulations FDA is proposing to implement the Public Health Security & Bioterrorism Preparedness & Response Act of 2002. The two regulations had to do with registration of food facilities and prior notice of imported foods. Another satellite conference is scheduled for May 7, beginning at 1:00 p.m. ET. That one will cover draft regulations that are being developed on establishment and maintenance of records and administrative detention. For information on both the previous satellite conference and the next one, click on

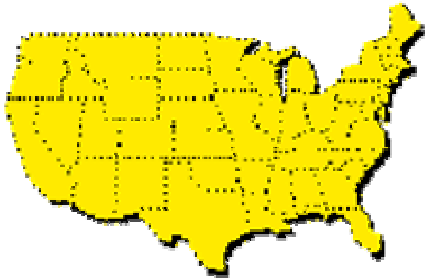
<http://www.cfsan.fda.gov/~dms/fsbtact.html>. Additional information may be obtained from <http://www.fda.gov/oc/bioterrorism/bioact.html>.

FDA, USDA and the Association of State and Territorial Health Officers (ASTHO), in cooperation with the National Association of State Departments of Agriculture (NASDA), hosted a meeting of the Secretaries, Commissioners and Directors of the State Departments of Agriculture and the State Health Departments at the end of the NASDA Mid-winter meeting in Washington, D.C. The one day meeting, "Homeland Security –Protecting Agriculture, the Food Supply, and the Public Health – The Role of the States," was attended by over 100 people representing the states and Federal agencies. The meeting was opened by Anne Veneman, Secretary of USDA and Tommy Thompson, Secretary of HHS. Panel presentations on food security included Garry McKee, Administrator of USDA-FSIS, Joe Levitt, Director of FDA's CFSAN, John M. Taylor, Associate Commissioner of Regulatory Affairs (FDA), Bobby Acord, Administrator of USDA-APHIS and Arthur Liang of CDC. The afternoon workshop culminated with many issues to be resolved in future 50 State meetings and in cooperation with representative organizations of the states and Federal agencies.

FDA has just published in the Federal Register for public comment, two revised final guidance documents (Docket No. 01D-0583) on food and cosmetics security for food producers, processors and transporters; importers and filers; and (Docket No. 03D-0092) retail food stores and food service establishments; and cosmetics processors and transporters. Copies of these documents are available on the Internet at <http://www.cfsan.fda.gov/guidance.html>. Written comments should be submitted to Dockets Management Branch (HFA-305) 5630 Fishers Lane, Rm.1061, Rockville, MD 20852. Submit electronic comments to <http://www.fda.gov/dockets/ecomments>.

News from the States

| | | |
|-------------------------------|-----------------|-----------------------------|
| Wisconsin | Idaho | Florida |
| Nebraska | Virginia | North Carolina |
| Maryland | Meetings | Training Opportunity |
| Employment Opportunity | | |



Wisconsin: The Retail Food Protection Seminar for the FDA Central States Region will be sponsored by the state of Wisconsin. The seminar will be held on September 3- 5, 2003, at the Madison Concourse Hotel located at 1 West Dayton Street, Madison, Wisconsin. For additional information, contact John Powell at (847)249-8632, Byron Dennison at (608)224-4715 or Greg Pallaske at (608)266-8351. You may also access information regarding the Central States Retail Food Seminar at www.wicfp.org

Idaho: The Idaho Food Safety Advisory Committee met during 2002 and early 2003 to discuss updating the Idaho Food Safety Regulations. The committee was made up of a cross-section of professionals from the food industry, academia, consumers and local regulators advising the state's Food Protection Program. There was unanimous agreement to adopt the *2001 Food Code* as the basis of Idaho's regulations, with some changes to reflect Idaho conditions. Among the changes is modification of the definition of food establishment to include intrastate processors and to exclude low-risk facilities; and lowering the hot-holding temperature to 135°F. Idaho's adoption of the *2001 Food Code* is to occur in 2004.

Idaho health officials have voted to adopt FDA's *Voluntary National Retail Food Regulatory Standards* as the framework for their regulatory program. The State Food Protection Program (responsible for oversight) and all seven of the state's Health Districts (local jurisdictions) have enrolled or will soon enroll in performing program Self-Assessments. Self-assessments have been completed with results posted on FDA's National Registry Report for the State and for Central District Health Departments. For more information, contact Mary Valentine, Idaho Food Protection Program at ValentiM@idhw.state.id.us.

Florida: Ernest L. 'Buddy' Levins has been appointed Environmental Administrator in the Division of Aquaculture with the Florida Department of Agriculture and Consumer Services. Mr. Levins is responsible for the Shellfish Processing Plant Inspection Section of the Division. He has replaced Bobby Bickley, who has transferred to the Food Safety Division of the Department. For more information, contact Mr. Levins at levinsb@doacs.state.fl.us.

Nebraska:

- **Retail Grocery Store Training:** Through a cooperative agreement with USDA-FSIS, the Nebraska Department of Agriculture is providing food safety training throughout the state. The training provides information for retail store personnel on food microbiology, safe food handling and storage, personal hygiene, and cleaning and sanitation practices. The course is a 'Food Marketing Institute Certification Program. The training is promoted by the Nebraska Grocery Industry Association.

- **Legislation:** The Nebraska Department of Agriculture has presented a bill to the 2003 Legislature to update the food sanitation and safety laws in the state of Nebraska. The Department, local health

departments, and the Nebraska Food Industry Review Board spent many hours in 2001 and 2002 reviewing the 2001 FDA Food Code and drafting legislation that will protect the food supply in Nebraska without overburdening the state's food industry.

The Nebraska Food Industry Review Board is made up of representatives from the various food industries in Nebraska. Industries represented include restaurants, retail food stores, bars, processors, and vending operations.

The current food bill is based on the 1995 Food Code, with modifications based on the recommendations of the Conference for Food Protection. The proposal is to adopt the 2001 Code, with modifications.

Significant changes include:

- reducing the cold holding temperature of foods to 41° F for 7 days and 45° F for 4 days.
- reducing the hot holding temperature of foods to 135° F, down from 140°.
- requiring stores selling pre-packaged, non-potentially hazardous foods to be licensed and inspected.
- requiring permanent food facilities to have permanent connections to water and waste water lines. Currently, 'kiosk' type of facilities can use fresh and waste-water holding facilities.
- increase the fees for all food establishments.

The bill will become effective with the Governors' signature in May. For more information, contact George H.Hanssen at georgehh@agr.state.ne.us.

Virginia: On November 14, 2002 the Virginia Department of Agriculture and Consumer Services' (VDACS) Food Safety Program held food security training sessions at 23 sites throughout the state for Virginia's food industry. The name of the program was *Securing Virginia's Food Supply—Protect Against Terrorism*. The training consisted of a video with experts speaking on the toxins and pathogens that may be or in some cases have already been used in a bioterrorist attack on the food supply, Operational Risk Management (ORM), CFSAN's Guidance for Industry, and the differences between food security and food safety. In addition to the video, those who attended the training participated in group exercises to practice using the food security concepts presented to them. In addition, coordinators of the food security training program developed *Virginia's Food Security Guide*, a booklet designed to help food establishment operators evaluate their facilities from a food security perspective. An electronic version of this booklet can be viewed from the VDACS food security webpage at www.vdacs.state.va.us/foodsafety/bioterrorism.html. Additional food security resources can be found at this website as well.

VDACS plans to hold a second chance food security training session for the food industry in April of this year. The training will take place from 10 AM to 2 PM at three centrally located sites around the state. The first training session will be held on April 10, 2003 at the Virginia Western Community College in Roanoke. The second on April 15th at J. Sargent Reynolds Community College in Richmond, and the third on April 17th at the Northern Virginia Community College in Manassas, VA. If you would like more information on any of these sites or about the training in general, you may contact our office at 804-786-2035. We hope to provide additional interactive exercises and discussion at this second chance training.

VDACS plans to continue to provide food security information, as well as, food safety information in a quarterly newsletter in the coming year. The newsletter will provide updates and the latest information available with regards to food security in the newsletter, in addition to providing information about relevant food safety topics and seasonal food safety tips. The newsletter will also serve as a means of informing our customers of upcoming changes or events within the VDACS Food Safety Program. For more information, For more information, contact Doug Saunders, Program Manager at 804-786-8899.

The Virginia Food Safety Task Force has been working hard to develop food safety educational materials to provide to the food industry. Last year, they developed hand washing stickers and animated temperature control posters. The stickers and posters were presented in both English and Spanish. Twenty-five thousand stickers and posters, respectively, were evenly distributed to local health districts and to VDACS

Food Safety Specialists to be given out to establishments during routine inspections. Pocahontas Foods was in charge of all of the creative designs on the posters and signs. A member of the Task Force who works for Pocahontas Foods submitted the temperature poster to the International Food Distributors Association (IFDA) in an ad contest for all food distribution companies. She included a write up that offered the reason for poster and its intent. The Task Force received the Diamond Award, Best in Show, in its category. The award was presented with additional comments that the graphics were easily understood, eye appealing, colorful, and that the message was bilingual.

This year the Task Force is working on creating educational materials relevant to washing, rinsing, and sanitizing of equipment and utensils. They hope to, again, provide the information in both English and Spanish and have the finished product ready for distribution in the fall of 2003. For additional information on the Task Force's activities or about current or future educational materials, you may contact Ryan Davis at 804-786-3520.

North Carolina: On February 12th, 2003, the N.C. Commission for Health Services approved proposed rule changes to inspection grade cards for restaurants and other food handling establishments offered by officials from the Division of Environmental Health (DEH). The new rules change the grade card scores from an alphabetical display with a small handwritten numerical score to printed alphabetical and numerical scores of the same size and prominence. The new grade cards will be black printing on a white background, which differs from the old cards that were printed in different colors of ink, depending on the grade issued.

The impetus for the new rules arose from the results of a four-year, seven-county pilot study run by DEH. The pilot study examined a strictly numeric grade card, which was controversial with some local health departments and other officials. The rules adopted approved the combination alphanumeric card as a compromise acceptable to all.

State public health officials believe that the change will result in significant public health benefits, including an increase in the overall sanitation scores and clarification of the scores' meaning for customers. Use of the new score cards will become effective in August 2004.

For more information, contact Christine Miller, Public Information Officer for the Division of Environmental Health, Department of Environment and Natural Resources, at (919) 715- 3204 or christine.miller@ncmail.net.

New Food Security Preventive Measures Guidance Offered: Food security - protecting food against deliberate contamination- has become a real concern for public health and law enforcement officials. The rise of terrorist activity and threats in the US and the availability of information over the internet on how dangerous agents can be spread by air, water or food fuels this concern.

To address these concerns, the Retail Food Committee of the N.C. Department of Environment and Natural Resources has adapted guidance materials issued by the FDA to help food establishment operators identify preventive measures that they can take to minimize risks to food under their control. These measures can be taken by food service operations to minimize the risk of food being subject to tampering or terrorist actions. The guidance document encourages operators to focus on each aspect of the farm-to-fork system within their control and implement procedures and controls to minimize the risks of contamination.

The guidance document is divided into seven sections related to the individual components of food operations: food security; physical security; employees; computer systems; raw materials and packaging; operations; and finished products. It also covers security strategies and advice on evaluating security systems.

The guidance document can be viewed on line by visiting <http://www.deh.enr.state.nc.us/ehs/ehs.htm> and clicking on the link to the 'Food Security Guidance Document'. A pamphlet summarizing key points in the guidance document is also under development, and will be available soon. For more information, please

contact Christine Miller, Public Information Officer for the Division of Environmental Health, Department of Environment and Natural Resources at (919) 715-3204 or christine.miller@ncmail.net.

Maryland: The Maryland Board of Pharmacy is leading the state's effort to develop and implement an Emergency Preparedness Response Plan for volunteer health care practitioners to assist during a terrorist or other catastrophic event. The Board has recruited nearly 900 volunteer pharmacists and pharmacy technicians, of which approximately 500 have been trained. In the event of a state emergency, the Maryland Department of Health and Mental Hygiene would direct the Board to deploy volunteers to assist local health departments with the receipt and breakdown of the National Pharmaceutical Stockpile. Volunteers would also provide counseling and dispense medications to affected persons based on levels of illness and special considerations (i.e., pregnancy, drug interaction, allergies etc.), and assist with other activities as authorized. Volunteer recruitment, coordination and training are ongoing. For more information, contact Joan Lawrence, Public Information Officer at (410) 764-4755 or at jlawrence@dnhm.state.md.us

Meetings

NEHA, the National Environmental Health Association announces its 67th Annual Educational Food Safety and Protection Conference, June 8 – 11, 2003. The conference will be held at the Reno Hilton Hotel, Reno/Lake Tahoe, NV. Educational sessions will cover chemical and bioterrorism preparedness, indoor air quality, onsite wastewater systems and food safety and protection. A pre-conference workshop on the Application of HACCP Principles at Retail will be held June 6 – 7. For registration information, contact a NEHA specialist at (303) 756-9090, or at staff@neha.org.

AFDO, the Association of Food and Drug Officials, is holding its annual conference at the Oakbrook Hills Resort in Chicago, IL, June 14 – 18, 2003. Program topics include first amendment issues – counterfeit drugs and dietary supplements; biological, chemical and nuclear terrorism; irradiated foods; America's laboratory network; feeding the world – America's second harvest commitment; ORA U: how it's used to train medical device inspectors; Food Biosecurity Terrorism Act; Mexican food/agriculture program; food safety icons; risk management and risk assessment for drugs and devices; Part 11 and electronic signatures; risk communications; and consent decrees, regulatory and policy issues. For more information, click on www.afdo.org.

Training Opportunities

AFDO: The 2003 Meat and Poultry Processing at Retail Train-the-Trainer courses have been planned for the AFDO Regional Affiliate areas of WAFDO, MCA and NEFDOA. The training dates and information are listed below:

- WAFDO Region
March 18-20, 2003
Salt Lake City, UT
- NEFDOA Region
April 8-10, 2003
Braintree, MA
- MCA Region
May 6-8, 2003
Arlington, TX

One person from each state's principal retail regulatory authority, and one person from each state Meat and Poultry Inspection program, will be sponsored by AFDO for training. AFDO will reimburse the costs of all travel, lodging, and registration for these sponsored individuals. Regardless of which AFDO affiliate region you are in, take advantage of this training opportunity! To view the agenda and program details visit <http://www.afdo.org/events.asp>.

Employment Opportunities:

Research Scientist IV, California Department of Health Services, Food and Drug Branch/Food and Drug Laboratory Branch: The California Department of Health Services Food and Drug Branch (FDB) and the Food and Drug Laboratory Branch (FDLB) are accepting applications for the Research Scientist IV classifications of Food and Drug Sciences and Chemical Sciences (salary range = \$71,000 - \$85,000/year + excellent benefits). FDB is the largest state food safety agency in the United States. Our staff consists of highly qualified doctoral level scientists in food science, microbiology, food technology, epidemiology, and pharmacology in addition to our highly skilled and experienced peace officer investigators throughout the state. General duties for the FDB position include conducting scientific investigations into the source of intentional or unintentional contamination of food products. General duties for the FDLB position include laboratory support for foodborne outbreak investigations and development of innovative tests for the rapid detection and enumeration of microbial pathogens in foods. The results of these investigations and research will be used to develop regulations, policies, procedures, and methods for prevention of, responding to, and recovering from intentional and unintentional contamination of food products in California. Successful applicants will have the opportunity to work closely with the Western Institute of Food Safety and Security located at the University of California-Davis in the above duties.

Qualifications must include a doctoral degree in food science, food technology, food science, food microbiology/molecular microbiology, veterinary medicine, epidemiology, or a closely related field.

If interested, please submit your résumé or CV to Dr. Jeff Farrar via e-mail (jfarrar@dhs.ca.gov). If you have specific questions, please contact Dr. Farrar at 916-445-2264.

[Back to Top](#)