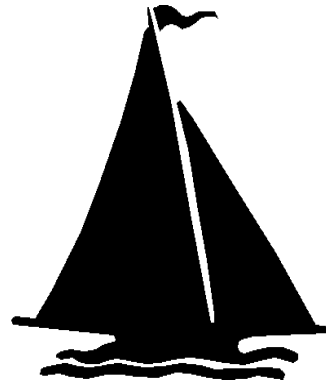


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State Action Information Letter

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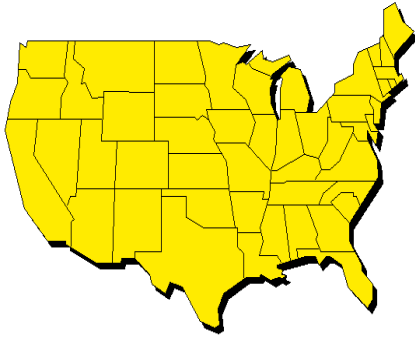
A Message from the ACRA

I want to tell you about an exciting new philosophy that FDA is exploring, and that is the concept of leveraging. Recently, Commissioner Jane E. Henney, M. D. sent a note out to all FDA employees. She quoted the poet John Donne, who wrote, "No man is an island entirely of itself." She used that as an analogy to FDA and its partners in protecting and promoting the public health. This public health mission is not ours alone. Rather, it is collaboration, partnering, cooperating with State and local agencies, with research organizations, with academia, with any organization that has a mutual interest. That said, we are embarking on a new

effort to leverage our resources, to combine our strengths with those who share our public health mission. FDA is holding two meetings with potential leveraging partners. They will be held on March 23, 2000 at Stanford University in Stanford, CA and on April 12, 2000 at Duke University in Durham, NC. I hope that some of you will be able attend one of these meetings and work with us in exploring new cooperative efforts. For more information, please visit our Website at www.fda.gov/oc/leveraging/stakeholders2000. I look forward to seeing you soon!

Dennis E. Baker
Associate Commissioner for Regulatory Affairs





News from the States

EXTRA! EXTRA! READ ALL ABOUT IT! It's here! The Kansas Food Code for Food Service and Retail Store Establishments has been posted to the Kansas Department of Health and Environment Website: www.kdhe.state.ks.us/bch. The new code was adopted on August 13, 1999, and represents the first major code change in over 20 years.

Both the numbers of illnesses and hospitalizations from foodborne illness continue to increase. It is estimated that 14% of Kansans will contract some sort of foodborne illness this year. The new code contains four key interventions to reduce this upward trend. The four key areas addressed in the new code are:

- Demonstration of Knowledge by the Person in Charge
- Exclusion/Restriction of Ill Food Workers
- Effects of Time and Temperature on Pathogen Growth, and
- Hands as a Vehicle for Food Contamination.

Implementation of the new code includes statewide information seminars attended by well over 6,000 food workers and owner/managers.

For more information, contact KDHE at (785) 296-1705.

MICHIGAN LEGISLATION TO STREAMLINE FOOD LAWS! Michigan's food laws will be vastly improved for food establishments, processors and local public health departments with the passage of House Bill 5196. The bill is based on recommendations from a **Michigan Department of Agriculture (MDA)** work group consisting of representatives from MDA, the grocery and restaurant industries, state and local public health agencies, consumers, universities and the FDA. Highlights include:

Uniformity and Unification:

- Eliminates dual state, county licensing and inspection of food establishments
- Adopts FDA Model Food Code
- Consolidates and streamlines 12 different statutes and regulations

Enforcement and Compliance:

- Adds new administrative penalties.
- Adds new felony penalties for intentional food adulteration.
- Requires managers to obtain food safety training when critical violations have not been corrected.
- Sets new fees for food establishment licenses.

Education:

- Establishes new Consumer Food Safety Education Fund.
- Creates a food service training fund for industry training in the new law and Food Code.

To obtain a copy, visit <http://www.michiganlegislature.org> or contact MDA at (517) 373-1060.

TEXAS GOINGS ON.

The **Texas Department of Health (TDH)**, in cooperation with FDA, held a two-day workshop in San Antonio in February entitled "Improving Food Safety in Texas." This was originally the new FDA "Farm to Table HACCP" workshop/course that FDA permitted TDH to rename and format to meet Texas' needs. The 70 work group participants from State and local agencies, regulated industry, consumer advocates and academia, listed to presentations on the President's Food Safety Initiative, the National Food Safety Work Group products, the President's Council on Food Safety Strategic Plan and work product from the Texas Food Safety Task Force. For one and a half days, they

broke into nine work groups to discuss issues pertaining to food safety education, communications, and role and responsibilities/uniform laws and regulations. Those in attendance were extremely pleased with the course, rating it just below the maximum score of 5. The work products from the groups will be forwarded to both the Texas Food Safety Task Force and to the NFSS Work Groups for inclusion in their future discussions. Some participants will be invited to participate in future work groups.

The Manufactured Foods Division, Bureau of Food and Drug Safety, has a total of 24 ongoing cases against food manufacturers, food wholesalers and food safety establishments. Most involved civil cases through the Office of the Attorney General. These cases were brought to the attention of the AG only after voluntary efforts failed to obtain the desired compliance. These cases may reasonably be expected to total almost \$1.5 million in civil penalties. The Department receives only investigative costs from these penalties, with the remainder going to the AG's office and/or the General Revenue Fund.

To fulfill the requirements established by the 76th Texas Legislature, all TDH programs are undergoing a review of all rules currently "on the books" to determine whether the rules need to be updated, remain the same or rescinded. In addition, the Manufactured Foods Division recently adopted new rules for the enforcement of a new law which requires TDH to test the operators of bottled and vended water facilities to determine whether the operators are knowledgeable regarding the regulations applicable to that industry. Those who pass the test are issued a Certificate of competency, which is good for a three-year period. The Rules on Bottled and Vended Water stipulate that only those establishments under the operation of a person holding a valid Certificate of Competency may engage in the bottling and vending of water.

For more information, contact TDH at (512) 719-0243.

MONTANA BOARD OF PHARMACY announces the death of past Executive Director Warren R. Amole, who died October 23, 1999, in Great Falls, MT. For more information, contact the Board at P.O. Box 200513, Helena, MT 59620-0513.

CALIFORNIA STANDARDIZES RETAIL FOOD SAFETY PROGRAMS.

Since the passage of California's Uniform Retail Food Facilities Law, efforts have been made to assure a standard approach to food safety enforcement by all jurisdictions. This goes beyond a uniform code to the actual inspection of food facilities. Over the past two years the Conference of California Directors of Environmental Health and the California Department of Health Services have developed a training program which addresses the core principles of food facility inspection. This training program will be presented throughout California over the next 12 months.

The purpose of Statewide Standardization is to provide a standard approach to food safety. The program is the result of three years of discussion and development of training designed to form the foundation of standardization. The training is not intended to show *THE WAY* of doing an inspection in a robotic sense, but to provide the reinforcement of the underlying food safety principles and techniques for assuring that those principles are followed. The Standardization Task Force believes that the environmental health specialist must be properly trained and equipped to be able to identify and assess major and minor factors that impact the potential for foodborne illness. They must be able to communicate the findings to the food facility operator clearly, educating where necessary, so that the operator understands what must be done to minimize the hazards present, and the consequences of the hazards which are not addressed. The standardization focuses on the risk factors identified by the Centers for Disease Control as being responsible for foodborne illness. Additionally, the standardization utilizes as its foundation the California Uniform Retail Food Facilities Law. This standardization training is an excellent opportunity to move California's local health agencies toward not only a uniform food law but also a uniform approach to retail food safety.

To facilitate the standardization of the above philosophy, five training modules have been created. The first four are presented in a classroom setting - Self-Assessment/Baseline Test, Communication, Report Writing, and Quality of Inspection/Equipment. Participants will carry out the fifth module, Field Standardization, afterwards in their own

jurisdiction. For more information, contact Jim Waddell at jwaddell@dhs.ca.gov.

The National Association of County and City Health Officials' Food Safety Project (NACCHO)

NACCHO is very pleased to commence development of a project focusing on local food protection systems. The Food Safety Project is funded by the National Center for Environmental Health (NCEH) of the Centers for Disease Control and Prevention (CDC). The project's purpose is to enhance the effectiveness of local environmental health programs by identifying ways of improving policies and practices pertaining to food safety and food programs. A five-year project timeline has been proposed, with the first year's work assessing the current activities, abilities, and needs at the local level of food protection. Subsequent years' work will consist, based on the first year's assessment, of developing recommendations for addressing identified gaps and implementing programs to build local capacity for reducing foodborne disease. In January 2000, NACCHO convened its first project planning meeting, assembling a diverse panel of participants from federal, state, and local health agencies who are united in their knowledge of and interest in food safety issues. During the course of this relatively short, informal meeting, our participants voiced their opinions on our current local food protection system's strengths and weaknesses and offered feedback regarding NACCHO's proposed project, as well as precisely what a successful project will have achieved. They collaborated in devising the project's research question: What is the current structure, function, and capacity of local health departments in protecting the public from foodborne illness? We at NACCHO anticipate moving forward, with the assistance of our soon-to-be-formed Advisory Panel, into the process of data-collection at the local level. In so doing, our questions regarding food safety will be answered.

UPCOMING MEETINGS

National Environmental Health Association (NEHA)

June 15 - 18, 2000
Adams Mark Hotel

Denver, CO
Contact: Kim Brandow (303) 756-9090

Association of Food and Drug Officials (AFDO)

104th Annual Education Conference
June 17 - 21, 2000
Sheraton Burlington Hotel and Conference Center
Burlington, VT

Two workshops will be held in addition to the conference on Saturday, June 17, 2000.

The AFDO International Workshop will bring you up to date on the key international issues that impact us in the areas of foods, drugs and medical devices. Topics include:

- The New Globalization: What has happened? Why has it occurred?
- The International Impact of the U.S. Food Safety Initiative
- The World Trade Organization and International Agreements
- What is This Thing Called CODEX?
- Mechanisms to Deal with Countries - Harmonization, Bilateral/Multilateral Agreements,
- Equivalence Agreements, MRA's etc.
- Where Do States and Other Sub-National Jurisdictions Fit In?
- What is actually happening? How Trade Agreements are working.
- Hot Topics: seafood and dairy export certificates, equivalence, US/EU meat and poultry.
- The Impact: Views from the consumer, food industry, drug/device industry, food
- Regulator and the drug/device regulator.

The Leveraging Laboratory Resources Workshop will focus on developing trust in each other's data, interacting with other laboratories and communicating laboratory results in real time. The workshop will harmonize efforts for electronic data exchange and creating data standards.

Contact: Jane R. Christy (717) 757-2888 or afdo@blazenet.net