

Crisis Control Newsletter

Crisis Control Newsletter from RQA, Inc.—A Catlin Preferred Provider to Foodservice, Food Processing and Consumer Products Industries

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FSMA - Sanitary Transportation of Food

The FDA's proposed rule on sanitary transportation of human and animal food would require those who transport food to use sanitary transportation practices to ensure the safety of food.

The proposed rule, which is required by the FDA Food Safety Modernization Act (FSMA), would help maintain the safety of both human and animal food during transportation by establishing criteria, e.g., conditions and practices, training and record keeping, for the sanitary transportation of food.

The goal of the proposed rule on the sanitary transportation of human and animal food is to prevent practices that create food safety risks, such as failure to properly refrigerate food, inadequate cleaning of vehicles between loads, and failure to properly protect food during transportation. The proposed rule addresses the sanitary transportation of both human and animal food traveling via motor or rail vehicle by establishing criteria for the safe transportation of food. Specifically, the proposed rule would establish requirements for: vehicles and transportation equipment, transportation operations, information exchange, training, records, and waivers.

With some exceptions, this proposed rule would apply to shippers, receivers, and carriers who transport food in the United States by motor or rail vehicle, whether or not the food is offered for or enters interstate commerce. It would also apply to a person outside of the United States, such as an exporter, who ships food to the United States in an international freight container by oceangoing vessel or in an air freight container, and arranges for the transfer of the intact container in the United States onto a motor vehicle or rail vehicle for transportation in U.S. commerce, if that food will be consumed or distributed in the United States. The FDA would consider this person to be a shipper under this proposed rule because the person would be initiating a shipment of food by motor vehicle or rail vehicle, even if doing so from abroad, that would be entering U.S. commerce.

The FDA is proposing that the requirements be effective 60 days after the final rule is published in the Federal Register. Recognizing that small businesses may need more time to comply with the requirements, the FDA is proposing tiered compliance dates based on business size.

- Small Businesses—businesses other than motor carriers who are not also shippers and/or receivers employing fewer than 500 persons and motor carriers having less than $25.5 million in annual receipts would have to comply two years after the publication of the final rule.
- Other Businesses—a business that is not small and is not otherwise excluded from coverage would have to comply one year after the publication of the final rule.

The proposed rule displayed on January 31, 2014, and comments are due by May 31, 2014.

Highlights of Proposed Rule

Specifically, the proposed sanitary transportation of human and animal food rule would establish requirements for:

- **Vehicles and transportation equipment:** The design and maintenance of vehicles and transportation equipment to ensure that it does not cause the food that it transports to become contaminated.
- **Transportation operations:** The measures taken during transportation to ensure food is not contaminated, such as adequate temperature controls and separation of food from non-food items in the same load.
- **Information exchange:** Procedures for exchange of information about prior cargos, cleaning of transportation equipment, and temperature control between the shipper, carrier, and receiver, as appropriate to the situation. For example, a carrier transporting bulk liquid non-dairy foods would want to ensure that vehicles that have previously hauled milk will not introduce allergens into non-dairy foods through cross contact.
- **Training:** Training of carrier personnel in sanitary transportation practices and documentation of the training.
- **Records:** Maintenance of written procedures and records by carriers and shippers related to transportation equipment cleaning, prior cargos, and temperature control.
- **Waivers**: Procedures by which the FDA will waive any of these requirements if it determines that the waiver will not result in the transportation of food under conditions that would be unsafe for human or animal health and that it is in the public interest.

Excluded or Exempted from Coverage:

- Shippers, receivers or carriers engaged in food transportation operations that have less than $500,000 in annual sales.
- Transportation for raw agricultural commodities performed by a farm.
- Food that is transshipped through the US to another country
- Food that is imported for future export and that is neither consumed nor distributed in the US.
- Transportation of shelf stable food that is completely enclosed by a container.
- Transportation of compressed food gases.
- Transportation of live food animals.

Sources: FDA.gov

Food and Drug Administration Recalls (www.fda.gov)

Product: Fresh Tomatoes
Incident: Possible Health Risk–*Salmonella*

A Fort Pierce FL firm has issued a limited recall of 790- 20 and 25 lb. boxes of fresh tomatoes because they may have the potential to be contaminated with *Salmonella*. *Salmonella* is an organism which can cause serious infections in young children, frail or elderly people and others with weakened immune systems. So far no illnesses or customer complaints have been reported to date. The tomatoes from the lot were distributed to a limited number of receivers in FL, NC, MI, MN, PA and TN who have been notified of the recall. The potential for contamination was discovered as the result of a routine random lot sample taken on January 28, 2014. All existing product associated with this lot number is subject to the recall. The company is reviewing all policies and procedures associated with food safety to minimize any future occurrence. Consumers with questions should directly contact the company for more information.

Product: Dried Egg Products
Incident: Possible Health Risk–*Salmonella*

A Lacey, WA firm is recalling approximately 226,710 pounds of processed egg products that may be contaminated with *Salmonella*. The dried egg products were produced between Feb. 28, 2013 and Feb. 8, 2014 and were shipped to co-packers for incorporation into consumer-sized packages and were also packed in consumer-sized packages. These products were shipped nationwide and to U.S. military installations in the United Sates and abroad, as well as to Canada. The problem was discovered by Washington State Laboratories in response to a billing inquiry. The laboratory then notified FSIS personnel of the discrepancies in laboratory results. FSIS and the company have received no reports of illnesses due to consumption of these products. In this case, USDA is leading the recall rather than FDA because the products are in consumer packages with an identifiable USDA Mark of Inspection, and FSIS had jurisdiction over the product when contamination occurred.

United States Department of Agriculture Recalls (www.usda.gov)

Product: Beef Products
Incident: Possible Health Risk–*E. Coli*

A Fort worth, TX establishment is recalling approximately 15,865 pounds of various beef products because they may be contaminated with *E. coli* O103, *E. coli* O111, *E. coli* O121, *E. coli* O145, *E. coli* O26 and *E. coli* O45. The products subject to recall were produced on Dec. 5, 2013 and distributed to retail stores and restaurants in AZ, OK, TX and Puerto Rico. FSIS personnel became aware of the problem during a Food Safety Assessment when they discovered that beef trim tested presumptive positive for multiple non-O157 Shiga toxin-producing *E. coli* strains through the company's testing program. FSIS and the company have not received any reports of illness due to consumption of these products. Consumers and media with questions regarding the recall should contact the company's President for more information.

Product: Beef Jerky Products
Incident: Possible Health Risk–*Processing Deviation*

A Cody, WY establishment is recalling approximately 365 pounds of beef jerky products due to a processing deviation. The beef jerky products were produced on various dates between November 4 and November 25, 2013. The products subject to recall were sold at retail stores in CO, UT, WA, and WY as well as internet sales to individuals. The problem was discovered by the company, who then brought it to the attention of FSIS. FSIS and the company have not received any reports of illnesses associate with the consumption of these products. Anyone concerned about an illness should contact a healthcare provider. Media and consumers with questions in regard to the recall should contact the company's President for more information.

Consumer Product Safety Commission Recalls (www.cpsc.gov)

Product: Food Dehydrators
Incident: Possible Risk-*Shock Hazard*

A West Chester, OH importer is recalling approximately 3,000 units of 5-tray food dehydrators (24 units in Canada). The dehydrators are gray and are made of plastic and metal. Damaged wiring in the food dehydrators can come into contact with a metal bracket inside the machine, posing a shock hazard. These food dehydrators were previously recalled and repaired as part of a May 2013 recall for a fire hazard. The company has received 9 reports of electrical shorts, including one report of sparks causing minor damage to the surrounding countertop and carpet. No injuries have been reported. The dehydrators were manufactured in China and sold at mass merchandisers. Consumers should stop using the recalled dehydrators immediately and contact the company to receive instructions on free repair of the recalled product Consumers with questions should contact the company directly or visit their website for more information.

Product: Air Compressors
Incident: Possible Risk-*Shock Hazard*

A Long Grove, IL importer is recalling approximately 100,000 units of two brands of two-gallon electric air compressors (7,000 units in Canada). Each air compressor has a pair of one-gallon tanks that are stacked upon each other. The gray or red air compressors are 120–volts, have an operating pressure maximum of 100 PSI and air delivery of .4 SCFM at 90 psi. The terminals of the pressure switch can come into contact with the motor housing and electrify the air compressors, posing a shock hazard to consumers. The company has not received any reports of incidents or injuries. The air compressors were manufactured in China and sold at retailers nationwide and online from June 2010 through October 2013. Consumers should immediately stop using the recalled air compressors and contact the company for a free repair. Consumers should contact the company directly or visit their website for additional information.

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