

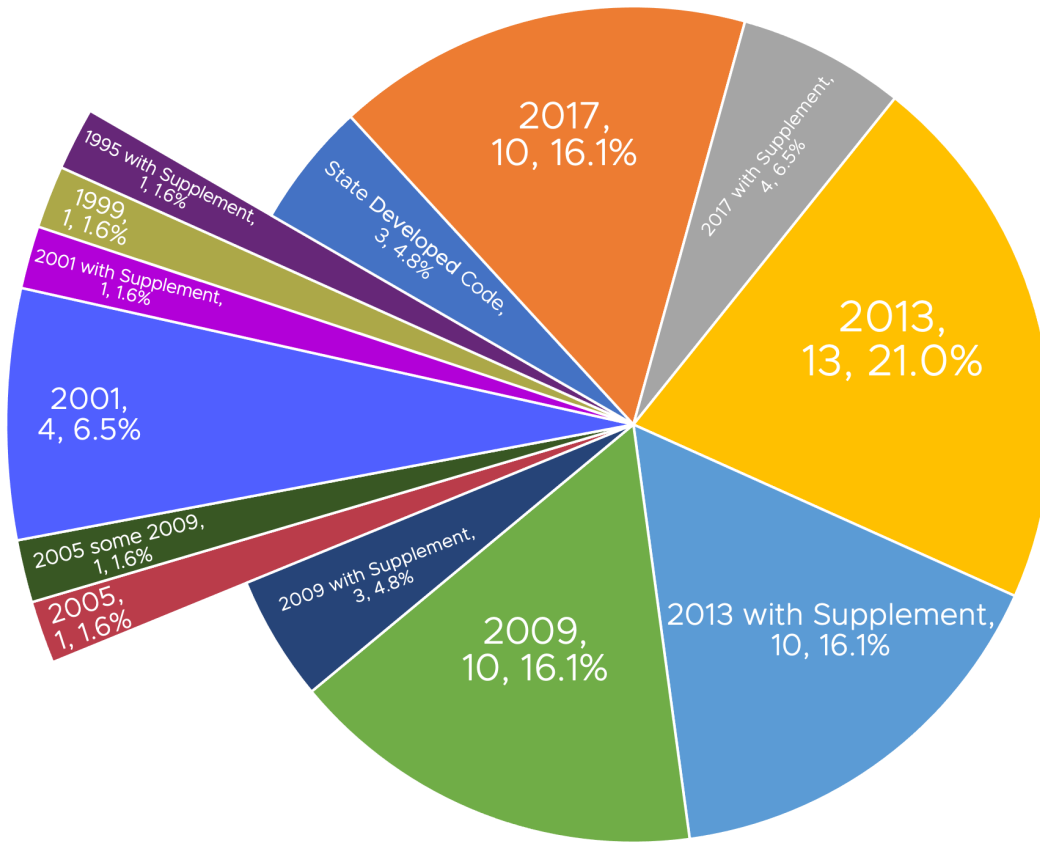
Current Food Code and Plans for Adoption

State Survey*

January-May 2021

* State retail food program managers or designees from Department of Health or Agriculture were interviewed (n=62)

Food Code Currently Operating Under

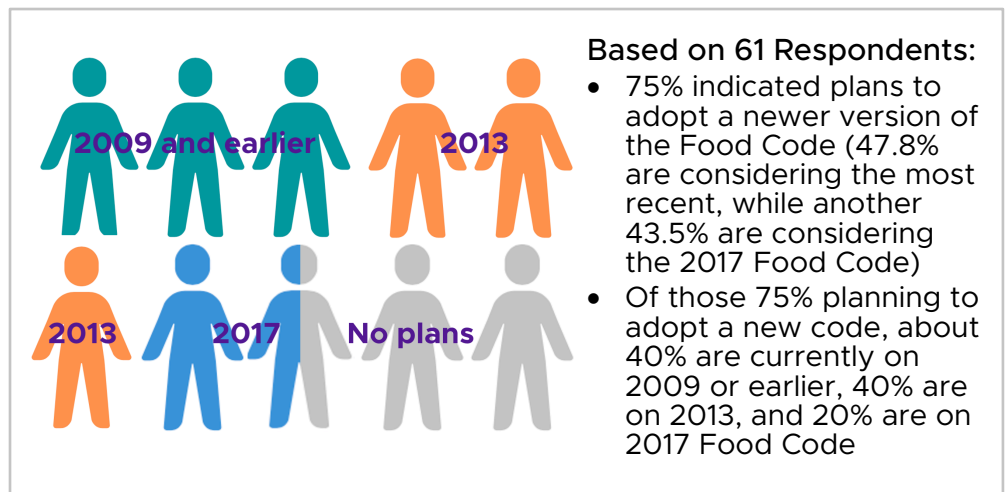
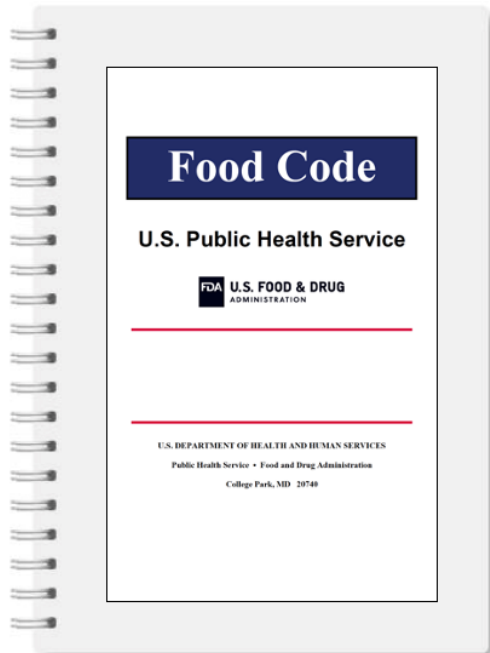


Based on 62 Respondents:

- FDA Model Food Code 2017 and 2017 with Supplement are used by 22.6% of respondents
- The majority are operating under the 2013 Food Code and 2013 with Supplement (37.1%)
- Food Code 1999 and 1995 with Supplement are the least used (1.6% each)

Note. Percentages may not total 100% due to rounding

Plans to Adopt a Newer Version



Based on 61 Respondents:

- 75% indicated plans to adopt a newer version of the Food Code (47.8% are considering the most recent, while another 43.5% are considering the 2017 Food Code)
- Of those 75% planning to adopt a new code, about 40% are currently on 2009 or earlier, 40% are on 2013, and 20% are on 2017 Food Code

Contact: AFDO | afdo@afdo.org | 717.757.2888 | www.afdo.org

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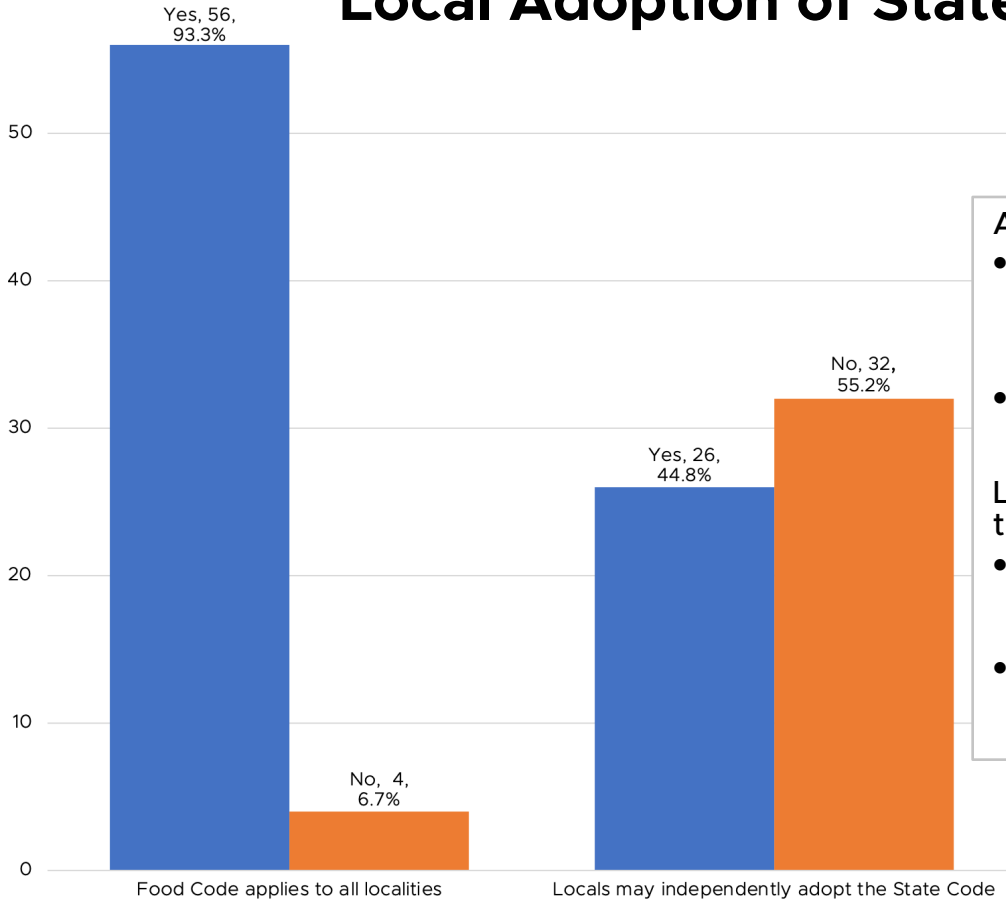
Food Code Adoption

State Survey*

January-May 2021

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Local Adoption of State Food Code



Applies to All Localities:

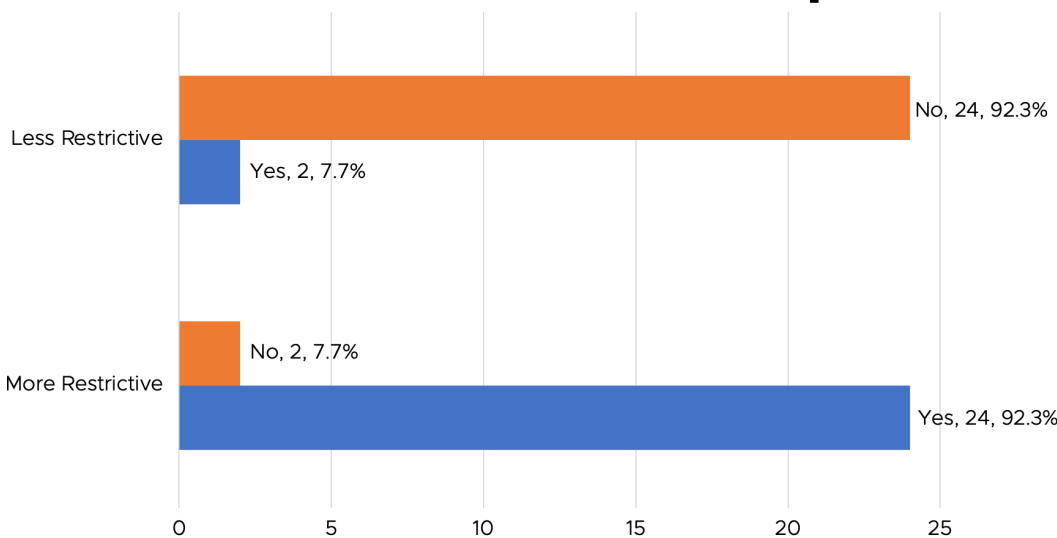
- The majority indicated that when the state adopts Food Code, it also applies to all localities (93.3%)
- Only 4 respondents answered “No” (6.7%)

Locals may Independently Adopt the State Code:

- 26 participants indicated that localities may independently adopt Food Code (44.8%)
- 32 participants indicated that localities do not independently adopt Food Code (55.2%)

Note. States where Food Code does not apply to all localities: Nevada, New Hampshire, New Mexico, Wyoming

Local Food Code Adoption Restrictiveness



More or Less Restrictive:

- Participants generally indicated that when Food Code adoptions were made at the local level, the jurisdiction could choose to be more restrictive (92.3%)
- Few indicated that local adoptions of Food Code were less restrictive (2.7%)

Note. States where locality Food Code adoption can be less restrictive: Alaska, Nevada
States where locality Food Code adoption cannot be more restrictive: Nevada, Oklahoma

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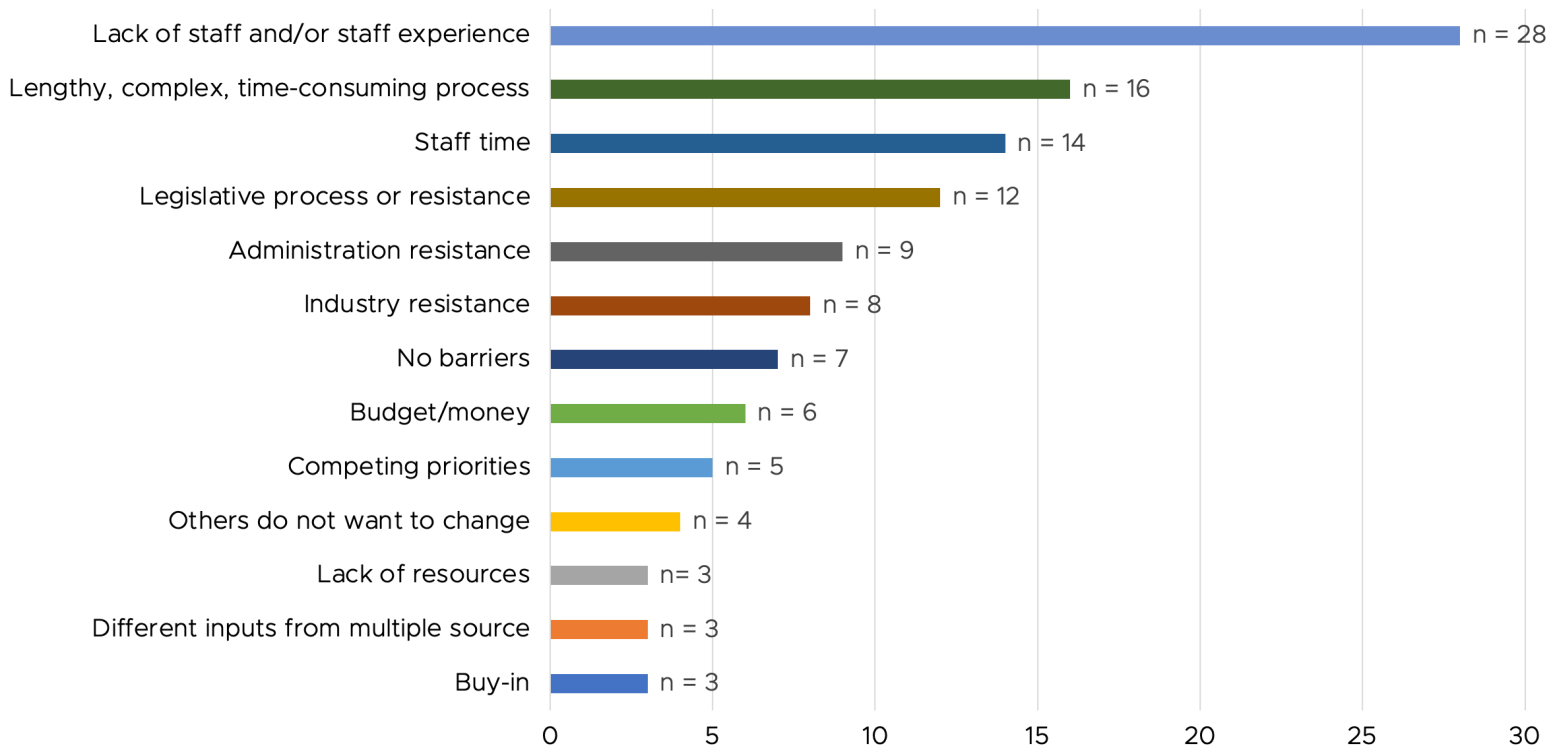
Food Code Adoption Barriers

State Survey*

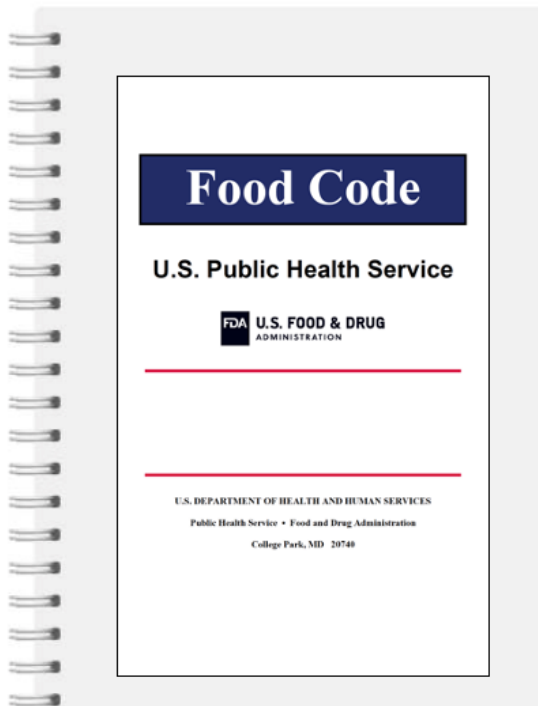
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Barriers to Adopting Food Code



Note. Multiple responses could be provided



Top 3 Barriers:

- Lack of staff and/or staff experience (n = 28)
- Lengthy, complex, time-consuming process (n = 16)
- Staff time (n = 14)

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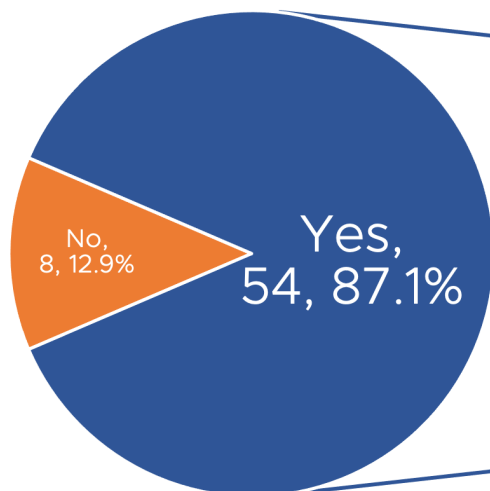
Retail Program Standards Enrollments and Self-Assessments State Survey*

January-May 2021

* State retail food program managers or designees from Department of Health or Agriculture were interviewed (n=62)

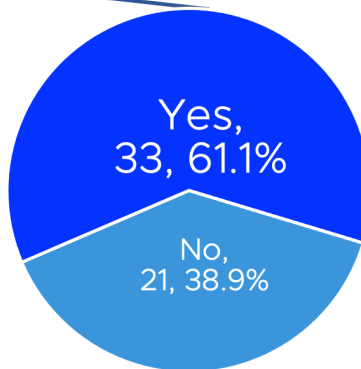
Enrollment and Currency of Self-Assessments

Enrolled in Voluntary Program Standards?



Is Self-Assessment Current?

*Current Self-Assessment as determined by program representative



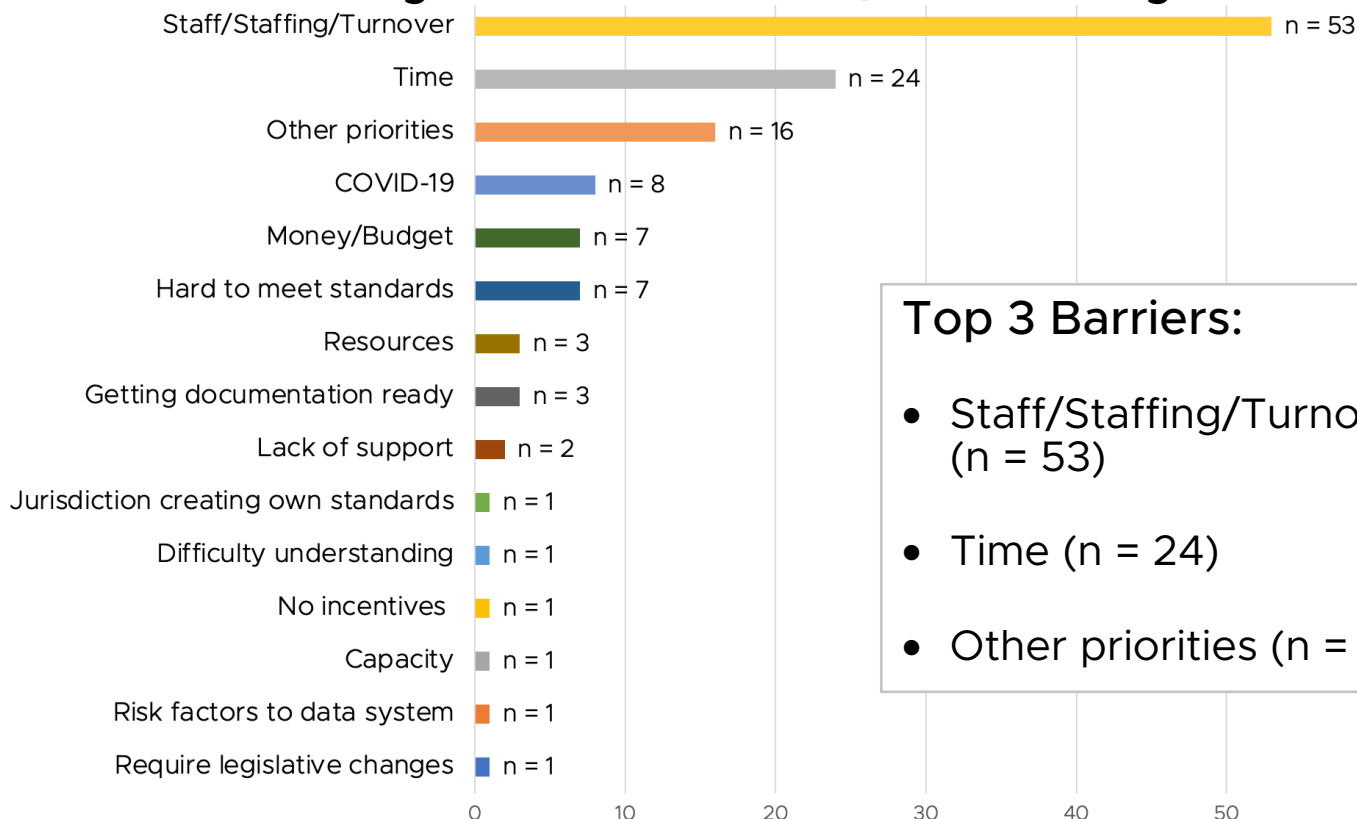
Program Enrollments:

- The majority of participants indicated that they enrolled in the Voluntary Program Standards (87.1%)

Self-Assessments:

- Among those who indicated that they enrolled, 33 participants reported that self-assessments were current (61.1%)

Barriers to Enrolling in the Standards and/or Conducting Self-Assessments



Top 3 Barriers:

- Staff/Staffing/Turnover (n = 53)
- Time (n = 24)
- Other priorities (n = 16)

Note. There were 24 responses of "not applicable" and 2 responses of "no barriers"
Multiple responses could be provided

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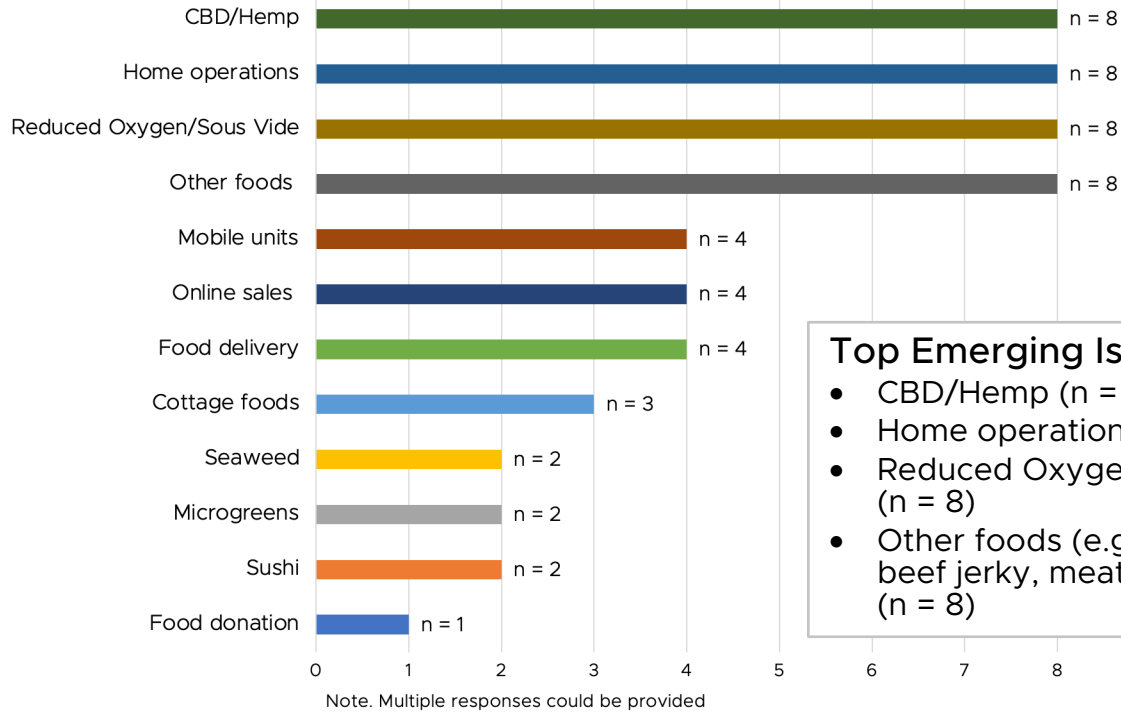


Emerging Issues Impacting Food Safety and Additional Guidance Needed State Survey*

January-May 2021

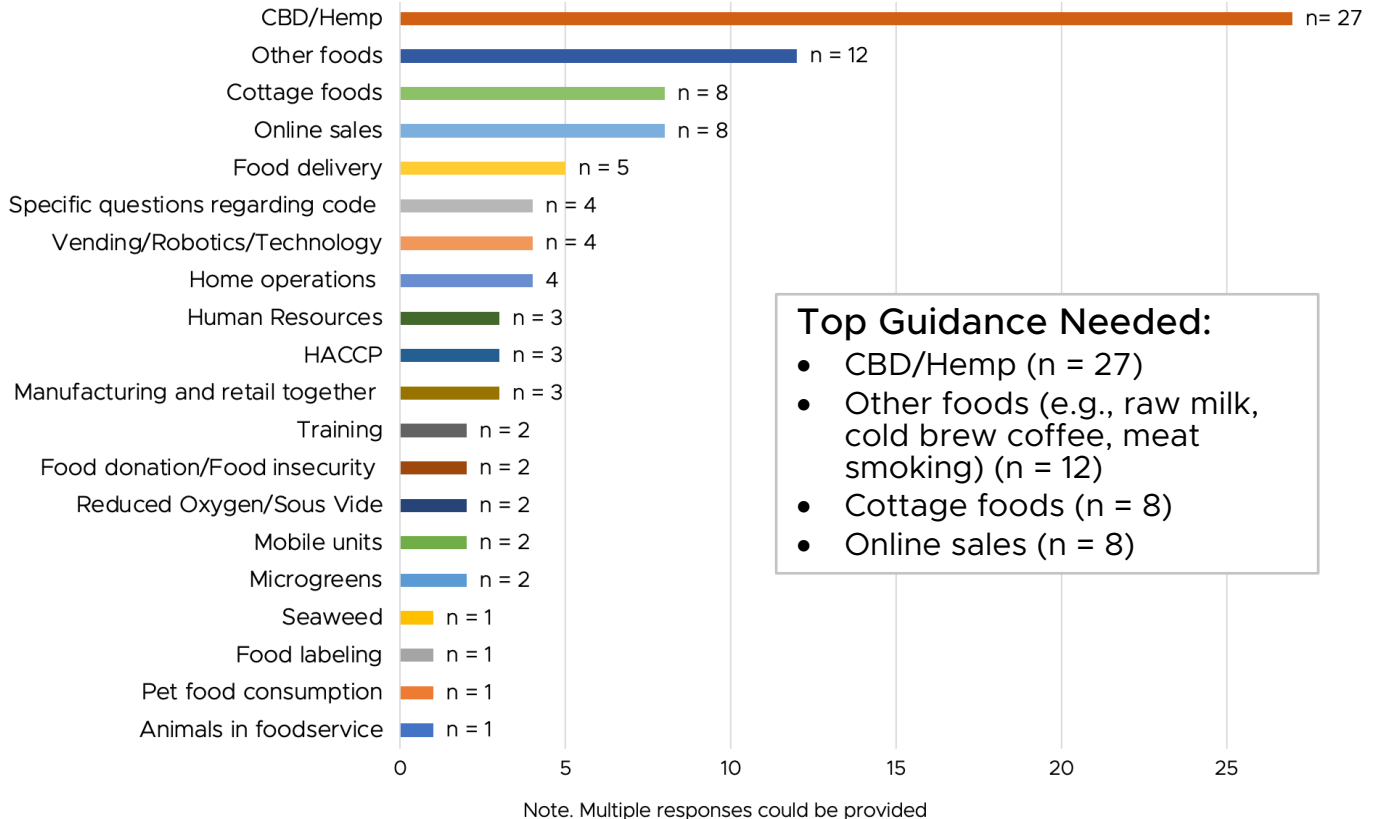
* State retail food program managers or designees from Department of Health or Agriculture were interviewed (n=62)

Emerging Issues Impacting Food Safety Programs



- Top Emerging Issues:**
- CBD/Hemp (n = 8)
 - Home operations (n = 8)
 - Reduced Oxygen/Sous Vide (n = 8)
 - Other foods (e.g., yogurt, beef jerky, meat smoking) (n = 8)

Additional Guidance Needed



- Top Guidance Needed:**
- CBD/Hemp (n = 27)
 - Other foods (e.g., raw milk, cold brew coffee, meat smoking) (n = 12)
 - Cottage foods (n = 8)
 - Online sales (n = 8)

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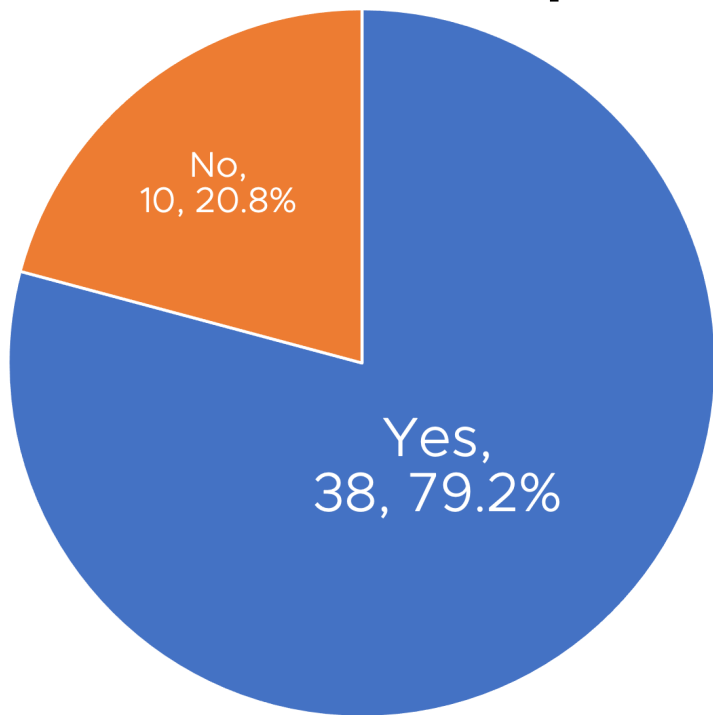
Retail Program Standards Verification Audits

State Survey*

January-May 2021

* State retail food program managers or designees from Department of Health or Agriculture were interviewed (n=62)

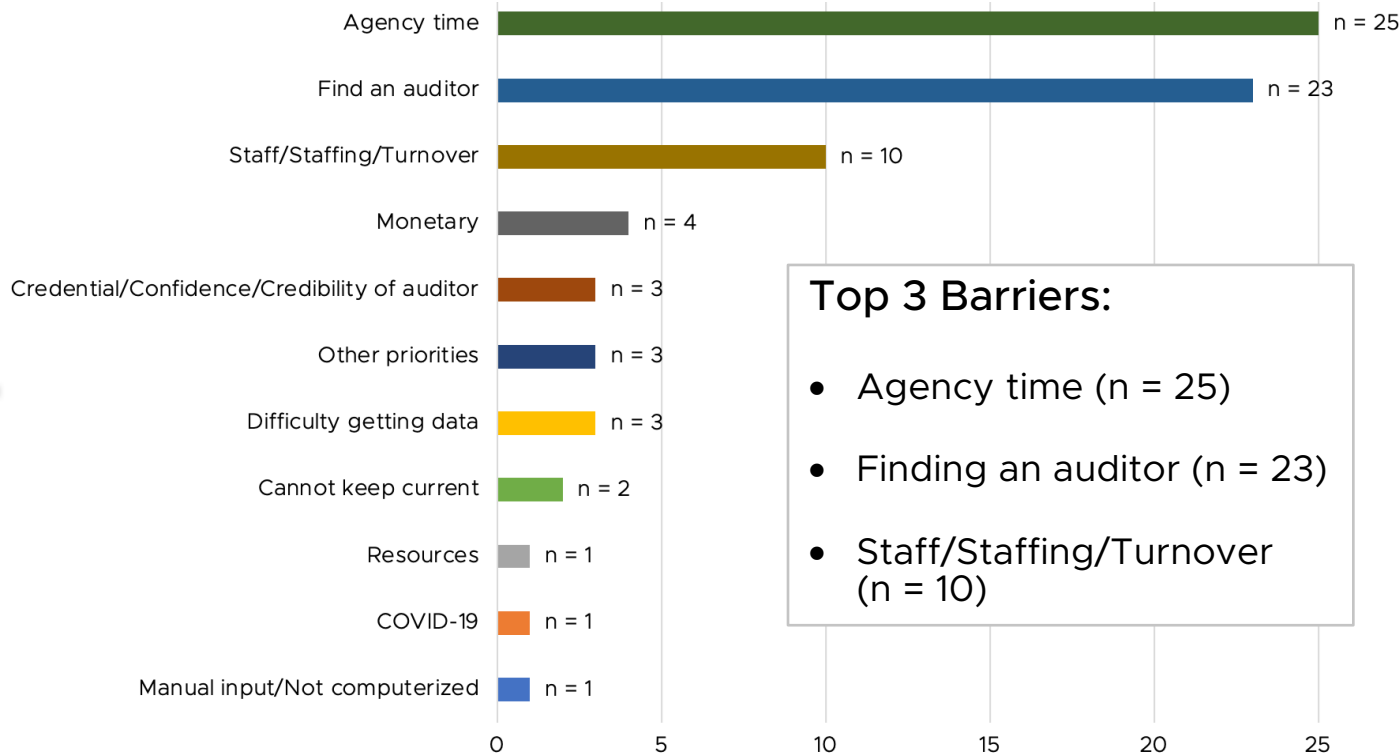
Reasonable to Complete Audits in 6 Months?



Based on 48 Respondents:

- The majority responded that 6 months was a reasonable time to have the audits done (79.2%)
- The rest of the respondents indicated that the 6-month period was not reasonable to have the audits done (20.8%)

Barriers to Conducting Verification Audits



Top 3 Barriers:

- Agency time (n = 25)
- Finding an auditor (n = 23)
- Staff/Staffing/Turnover (n = 10)

Note. Multiple responses could be provided

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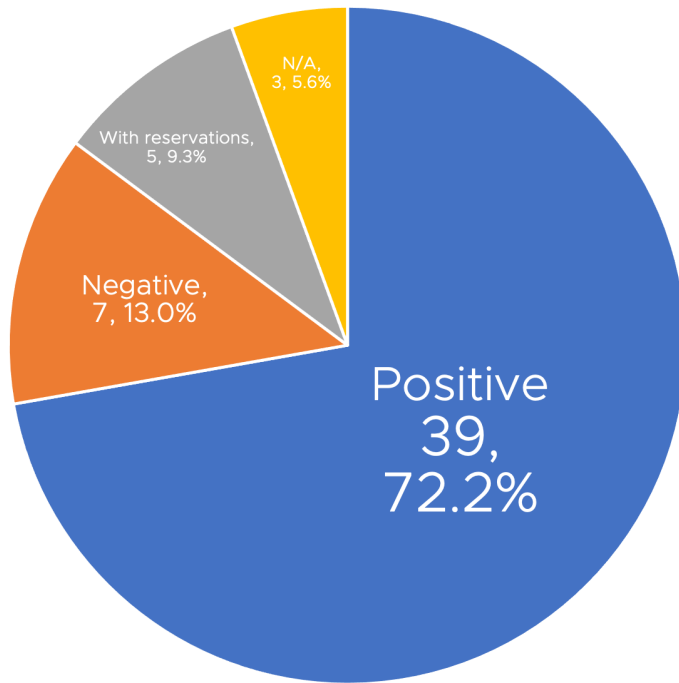


Retail Program Standards Verification Audits

State Survey*
January-May 2021

* State retail food program managers or designees from Department of Health or Agriculture were interviewed (n=62)

Openness to FDA Providing Audit Services



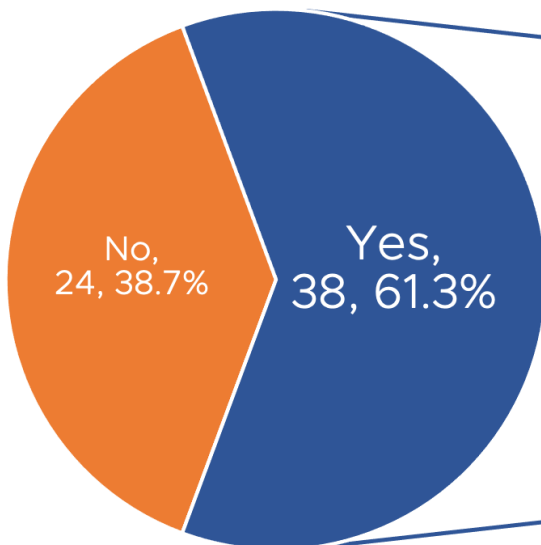
Based on 54 Respondents:

- The majority were positive about this proposal (72.2%)
- Some were open with reservations (9.3%)
- Some expressed the opposition (13.0%)

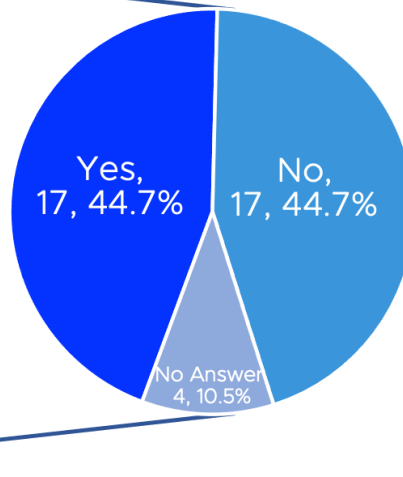
Note. Percentages may not total 100% due to rounding

MFRPS Standards Enrollment and Simultaneous Audits

Enrolled in MFRPS Standards?



Simultaneous audits for both programs?



Note. MFRPS stands for Manufactured Food Regulatory Program Standards
Percentages may not total 100% due to rounding

MFRPS Enrollments:

- About two-thirds of the participants indicated that they also enrolled in MFRPS standards (61.3%)

Simultaneous Audits:

- Among those who indicated that they enrolled in MFRPS standards, an equal number of participants agreed or disagreed with doing verification audits for both programs at the same time (44.7%)

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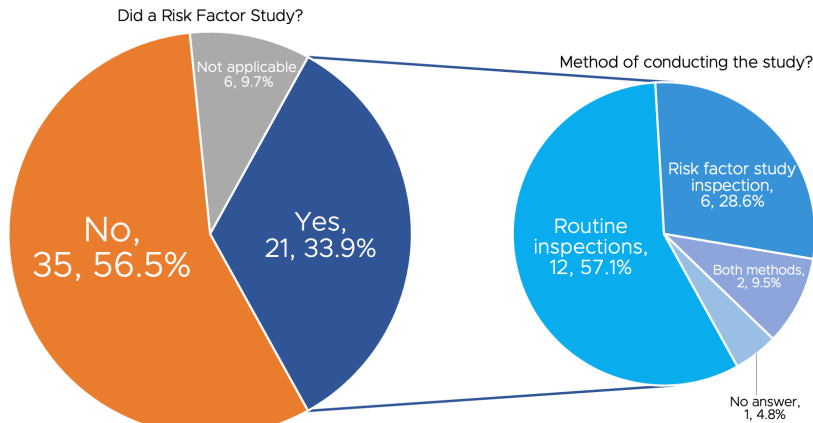
Retail Food Risk Factor Study

State Survey*

January-May 2021

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Conducted Risk Factor Study and Methods

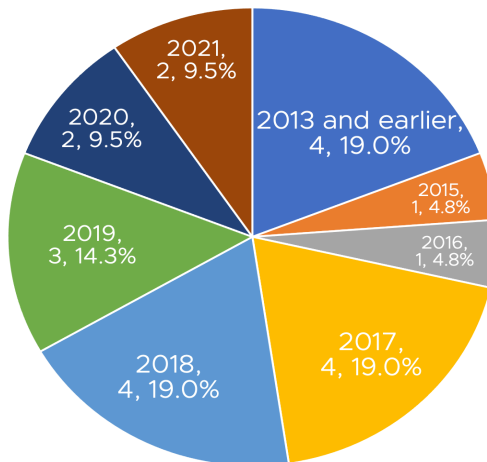


Note. Percentages may not total 100% due to rounding

Among 62 Respondents:

- About one-third of the participants indicated that they have done a Risk Factor Study (33.9%)
- Among those who indicated that they have done a Risk Factor Study, more than half indicated that the study was done during routine inspections (57.1%)

Year the Study Was Conducted

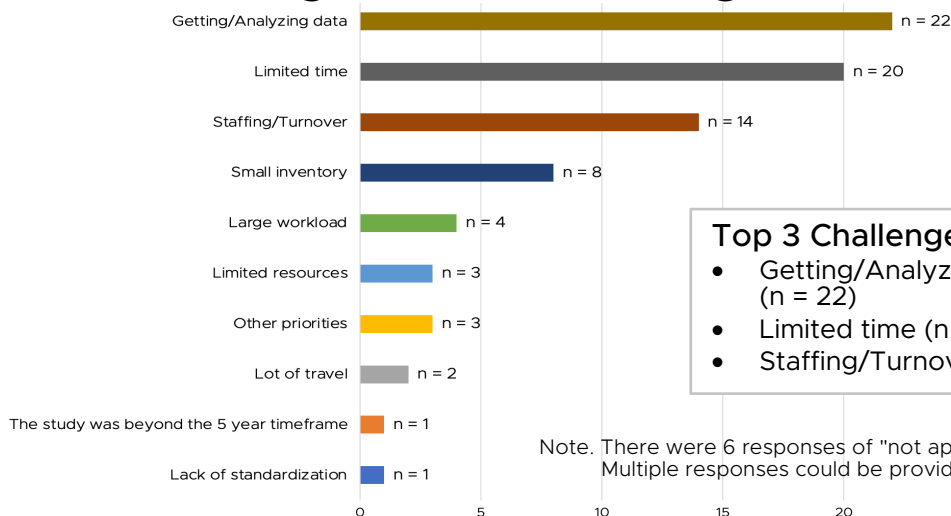


Note. Percentages may not total 100% due to rounding

Year of the Study:

- Among 21 participants who indicated that they have conducted a Risk Factor Study, the majority indicated that the study was conducted during or after 2017 (n = 15, 71.4%)
- Others indicated that the study was conducted before 2017, or the study was outdated (n = 6, 28.6%)

Challenges to Conducting Risk Factor Studies



Note. There were 6 responses of "not applicable"
Multiple responses could be provided

Top 3 Challenges:

- Getting/Analyzing data (n = 22)
- Limited time (n = 20)
- Staffing/Turnover (n = 14)

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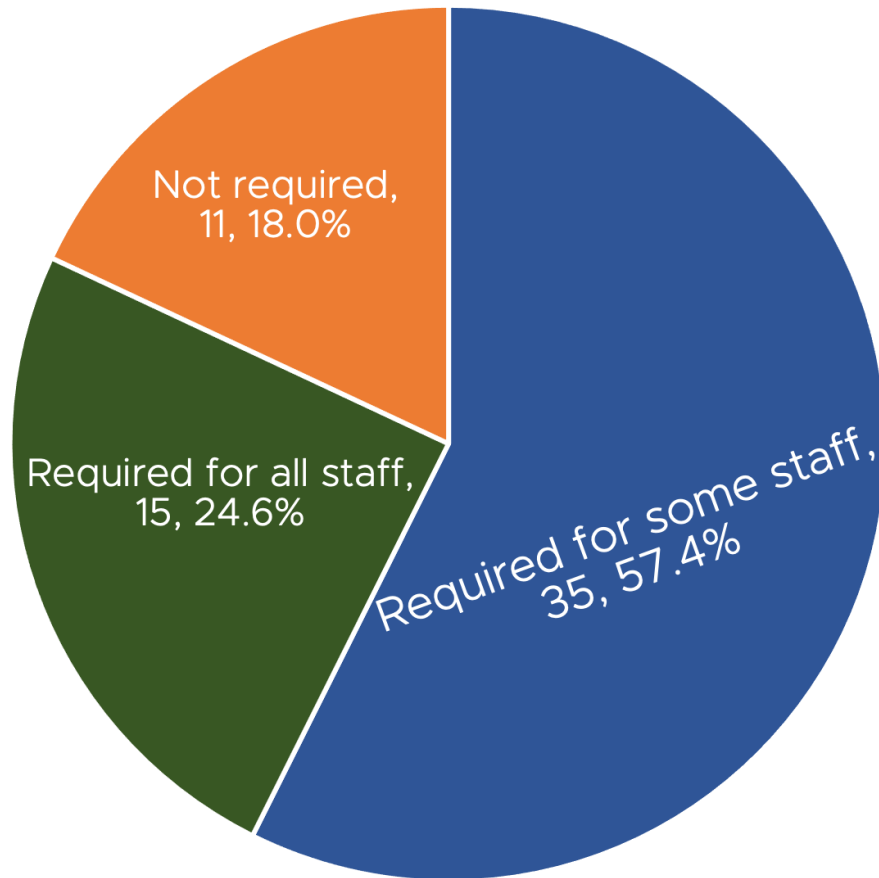
Risk-Based Inspection (FD218) Trainings

State Survey*

January-May 2021

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Risk-Based Inspection (FD218) Training Requirements



Based on 61 Respondents:

- The majority of participants indicated that FD218 training is required for some staff (57.4%)
- Some participants indicated that FD218 training is required for all staff (24.6%)
- The rest of the participants indicated that FD218 training is not a requirement (18.0%)

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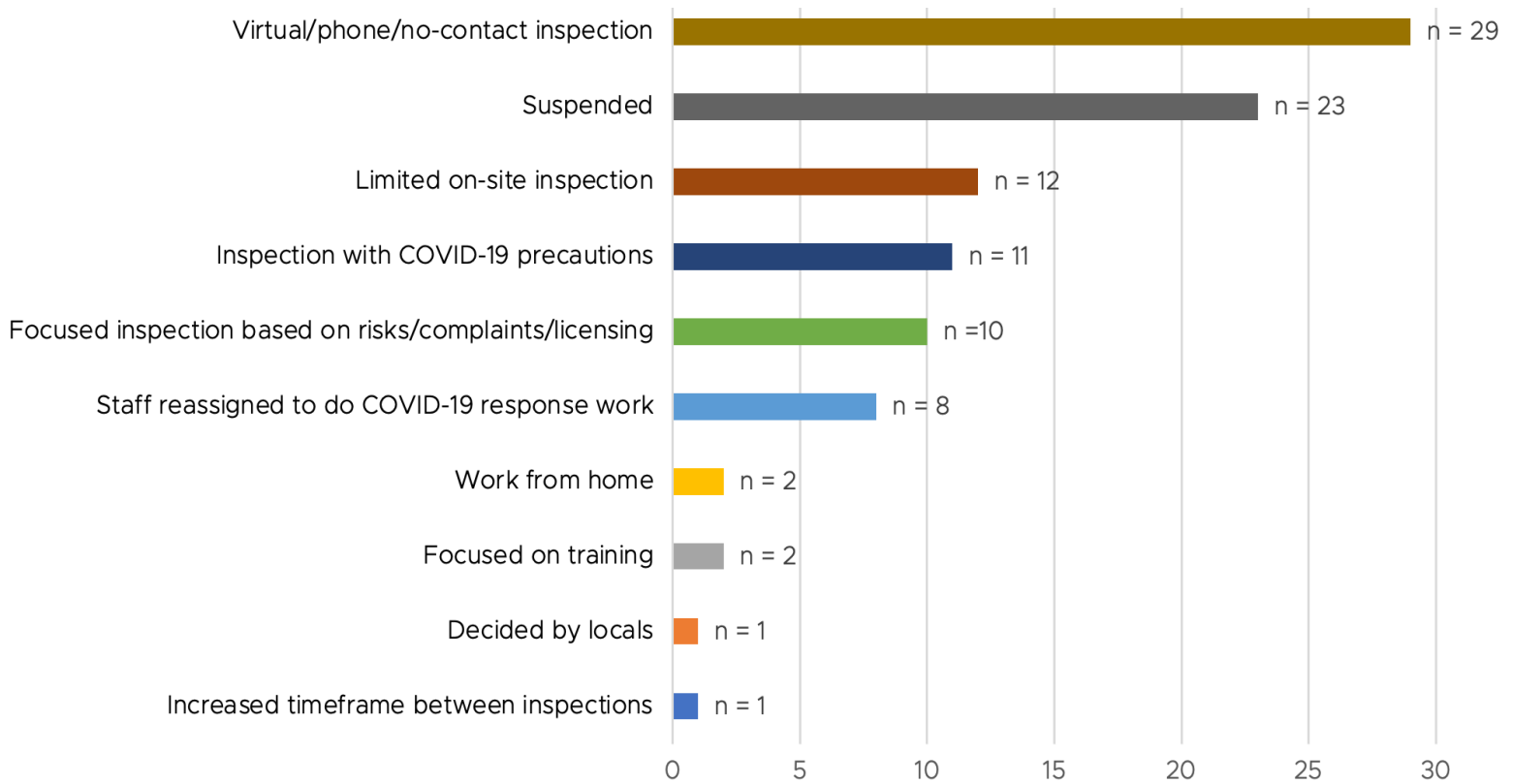
Inspection Changes Due to COVID-19

State Survey*

January-May 2021

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Changes Made to Inspection Program Due to COVID-19



Note. Multiple responses could be provided

Top Changes Made:

- Virtual/phone/no-contact inspection (n = 29)
- Suspended (n = 23)
- Limited on-site inspection (n = 12)

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