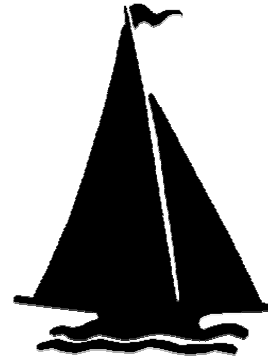


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STATE ACTION INFORMATION LETTER

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News from FDA

The Federal Food Safety Coalition was organized by FDA in 1999 in an effort to encourage federal agencies with responsibilities for food safety to work more closely together for a safer food supply. During this time period, food safety issues have evolved from harmonizing requirements and standards to increasing communications, training, HACCP, standardizing staff, focusing on risk factors and Food Code interventions and food security.

More than 19 agencies and offices that offer direct food service or who have oversight responsibility for food participate in the Coalition. They include:

U.S. Department of Health and Human Services

- FDA/CFSAN – Retail Food Protection, Interstate Travel
- FDA/ORR – State Training
- Indian Health Service
- Centers for Disease Control and Prevention
- Administration on Aging
- Headstart
- Center for Community Medicare and Medicaid
- U.S. Department of Agriculture
- Food Safety and Inspection Service
- Child Nutrition Programs
- U.S. Department of Homeland Security - U.S. Coast Guard
- U.S. Department of Defense
- U.S. Army

- U.S. Navy
- U.S. Air Force

U.S. Department of the Interior – National Park Service

General Services Administration

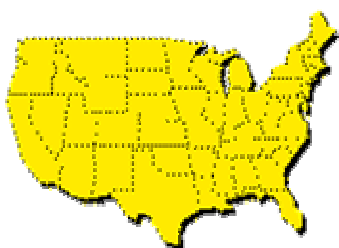
U.S. Department of Justice

- Bureau of Prisons
- Immigration & Naturalization Services

U.S. Department of Veterans Affairs – Nutrition & Food Services

For more information, contact: Wendy Fanaselle, Consumer Safety Officer, Wendy.Fanaselle@cfsan.fda.gov and Shirley Bohm, Consumer Safety Officer, Shirley.Bohm@cfsan.fda.gov

News from the States



Nebraska: The Mid-Continental Association of Food & Drug Officials' Annual Conference, will be held May 5-7, 2004, at the Country Inn and Suites in Lincoln, Nebraska.

Nebraska Adopts 2001 Food Code: On April 16, 2003, Governor Johanns signed LB250 to upgrade the state's food code. LB 250 adopts major portions of the FDA 2001 Food Code, modified after extensive review by the Nebraska Food

Industry Review Board and state and local food sanitarians. The bill carried the emergency clause and became effective on April 17, 2003. Changes to the previous code include:

- Cold holding temperatures for potentially hazardous foods were lowered to 41° for foods to be consumed/discarded within 7 days or to 45° for foods consumed/discarded within 7 days.
- Hot holding temperatures for potentially hazardous foods were lowered to 135°.
- Food handlers may not use fingernail polish or artificial fingernails unless wearing gloves.
- Permanent structures must have plumbing that includes hot and cold running water and be connected to an approved sewer system. This requirement affects parking lot 'coffee kiosks' but not temporary food stands.
- Establishments selling canned goods and other prepackaged non-potentially hazardous foods are not subject to licensing and inspection.
- Food vendors at farmers markets selling baked goods and jams and jellies must display a sign informing the customer that the food was not prepared in an inspected facility.
- Permit and inspection fees were increased by about 12%.

For more information contact George H. Hanssen, Bureau of Dairies and Foods, Nebraska Department of Agriculture, at 402-471-2536, or georgehh@agr.state.ne.us.

Pennsylvania: The Department of Agriculture completed the revision to the Milk Sanitation Regulations, Chapter 59. (relating to labeling). Revised label requirement is that the cap, or nonglass, container of pasteurized milk held in retail food stores, restaurants, schools or similar food establishments for resale shall be conspicuously and legibly marked in a contrasting color with the designation of the "sell-by" date - the month and day of the month after which the product may not be sold or offered for sale. The designation may be numerical - such as "8-15" - or may use an abbreviation for the month, such as "AUG 15 or AU 15." The words "Sell by" or "Not to be sold after" shall precede the designation of the date, or the statement "Not to be sold after the date stamped above" shall appear legibly on the container. This designation of the date may not exceed 17 days beginning after midnight on the day on which the milk was pasteurized.

The Department will periodically sample containers of pasteurized milk in the possession of the processor or distributor. This sampling may occur at any time before the pasteurized milk is delivered to the store or the customer. The Department will sample at least one milk product from each processor each calendar year.

The samples shall be analyzed by a Pennsylvania-approved dairy laboratory, applying a methodology set forth in the most current edition of Dairy Practices Council Guideline No. 10, entitled "Guidelines for Maintaining and Testing Fluid Milk Shelf Life," to determine whether the bacterial test results exceed the bacterial limits for the pasteurized milk sell-by date designated on the retail container.

When two or more samples demonstrate a processor cannot produce pasteurized milk that remains consistently within the bacterial limits for the 17-day sell-by period, the Department will require the processor to use a sell-by date the Department will calculate a revised sell-by date so that bacterial growth in the milk will not exceed the referenced bacterial limits within that sell-by period if the milk is maintained in accordance with the temperature standards for pasteurized milk.

The processor may submit samples to the Department for analysis to obtain approval to resume the 17-day sell-by period for the product sampled. The Department will approve resumption of a 17-day sell-by period when analysis of a sample demonstrates that bacterial growth in the milk will not exceed the referenced bacterial limits within that sell-by period if the milk is maintained in accordance with the temperature standards for pasteurized milk. For more information, contact James C. Dell, Chief, Division of Milk Sanitation at jdell@state.pa.us.

Minnesota:

- **Program Updates**

The Dairy, Food and Meat Inspection Division recently hired two management personnel. Dr. Heidi Kassenborg is managing the Department's Emergency Response unit and as an epidemiologist is in charge of conducting food borne illness investigations. Heidi is a veterinarian with a Master's degree in public health and previously worked for the Minnesota Health Department. Dr. Nicole

Neeser is managing the Division's Meat, Poultry and Egg Inspection program as well as working with the dairy inspection program consulting with dairy inspectors as a veterinarian. Nicole previously was an instructor at the University of Minnesota in the Center for Animal Health and Food Safety.

- **Training**

Recently the Inspection personnel of the Dairy, Food and Meat Inspection program and State and local health departments had the opportunity to attend a training session on developing food safety programs with a bit of a twist. Normally training sessions are comprised of long lectures and stale box lunches. This training started on a Tuesday morning in the meat laboratory at the University of Minnesota. The students were told that they are the owners of a meat processing plant and had to develop a meat product, write a sanitation program for the plant and develop a hazard analysis critical control point plan to ensure food safety. Meat, spices, casings and all the necessary equipment was provided to produce Canadian bacon, bratwurst, smoked country sausage and wild rice bratwurst patties. Students made the product, cleaned the equipment and then determined the effectiveness of the cleaning using bioluminescence technology. The products produced became their lunch on the second day of the training. Fifteen students participated and an additional two workshops are planned for November, 2003 and March of 2004.

- **Minnesota Regulatory Actions**

Minnesota Statutes allow for farmers to sell raw milk directly from their farm for occasional sales. However, one farmer in the central part of the state has attempted to develop a sales route selling raw milk and butter manufactured from



raw milk. Inspection personnel from the Department observed the farmer selling the milk and the Department has issued a discontinuance order. However, this individual has been issued this order before and the case has been turned over to a prosecuting attorney to obtain a court injunction prohibiting the sale of raw milk. Samples of the milk were analyzed in the Department's laboratory and had a standard plate count over 3 million, somatic cell exceeded 900,000 and was positive for *E-coli*. There have

been 17 outbreak cases of food borne illness this year in Minnesota associated with the consumption of raw milk.

- **Milk Quality**

One of the major issues relating to dairy inspection in the state is the quality of milk relating to high somatic cells. Because of this the Department and the University of Minnesota have developed a training program with printed material and a CD for dairy producers, processing plants and equipment companies on ways of reducing somatic cells in milk. The Quality Count program began with workshops and train-the-trainer programs. The Department believes that many producers can reduce their somatic cells through an educational program like this rather than through the regulatory process



- For more information, contact Kevin Elfering at Telephone 651-297-7453 or Kevin.Elfering@state.mn.us.

Maryland: Following are some updates from the Maryland Board of Pharmacy:

- Effective July 1, 2002, the Maryland Board of Pharmacy no longer issues manufacturing permits or free sales certificates to manufacturers.
- Effective February 17, 2003, applicants for a pharmacist's license are not required to complete a laboratory examination in order to become licensed as a pharmacist in Maryland. Additionally, an individual who wishes to reinstate their license will no longer be required to complete the laboratory examination.
- To date, the Board has recruited over 900 volunteer pharmacists and pharmacy technicians, and over 500 have been trained. Recruitment and coordination of meetings and trainings are ongoing.
- Governor Ehrlich has newly appointed the following members to the Maryland Board of Pharmacy Mr. Joseph DeMino, Chain Drug Store, Mr. Christiaan Blake, Consumer Representative and Mr. Mark Levi as the At-Large member.

For more information, contact Joan Lawrence, Public Information Manager at (410) 764-4755 or email: jlawrence@dnhm.state.md.us.

