



NJAFP NEWSLETTER

New Jersey Association for Food Protection

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Summer 2023



2022 Year in Seminars Presented by NJAFP

Here is a look back on the topical and educational seminars presented to our members in 2022. The seminars were conducted virtually, allowing greater convenience and accessibility to those wanting to attend.

Participants who successfully completed the educational program will be awarded 1.5 New Jersey Public Health Continuing Education Contact Hours (CEs). The New Jersey Association for Food Protection has been approved by the NJDOH as a provider of New Jersey Public Health Continuing Education Hours (CEs).

January: Sittin' on the Dock of the Bay: The Seemingly Mundane, but Actually Very Exciting Life of Molluscan Shellfish in NJ
Presented by Virginia Wheatley, NJDOH

February: Navigating Education and Enforcement as a Regulatory Authority During COVID
Presented by Dr. Palak Raval-Nelson, Philadelphia DOH

March: Insights into Reduced Oxygen Packaging under the Food Code
Presented by Dr. Brian Nummer, Utah State University

April: Food Safety Modernization Act (FSMA)
Presented by Wendy White, Georgia Institute of Technology, International Association for Food Protection Affiliate Council

May: Food Waste Recycling – Turning Food Waste Into Renewable Energy
Presented by Arielle Barnard, Waste Management and Heather Dougherty, InSinkErator/Grind2Energy

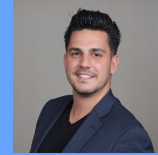
September: A Food Microbiologist Looks at Handwashing and Hand Sanitizers
Presented by Dr. Donald Schaffner, Distinguished Professor and Extension Specialist, Rutgers University

October: Ghost Kitchens Shouldn't Be Scary
Presented by Francine L. Shaw, Savvy Food Safety

November: Cottage Foods Current Trends
Presented by Rob Iler, Public Health and Food Protection Program, NJDOH

To view these webinar recordings, please visit njfoodprotection.org, then the Past Meetings tab.

PRESIDENT'S MESSAGE



Dear NJAFP Members and Friends,

With two-thirds of 2023 complete, we get further away from the disruption caused by the pandemic. Though cases remain constant, our lowered anxiety allows us to focus more on friends and family. In 2022, NJAFP has continued to focus on providing educational programs that are both topical and interesting. And as progress through the calendar, 2023 has delivered more of the same.

We continue to host online webinars which have been well attended. This was an unintentional convenience as we adapted to continue with our program. In 2022 we facilitated eight webinars and continued to offer CEUs for regulatory attendees while we await being able to gather in-person again.

I'd also like to thank my fellow board members for continuing to generously serve our association. The effort that takes place behind the scenes to ensure we continue our mission doesn't go unnoticed.

Moving forward, we will be providing a newsletter again on a quarterly basis throughout the year. There will be stories and information on the current events of food safety. In this edition, the FDA's Traceability Rule is explained along with helpful information to assist in understanding this new rule.

As a diverse group of food safety professionals in academia, industry, and regulatory, we represent the face of food safety in New Jersey. We are committed to bringing the most relevant topics and conversations to our webinars. Please be sure to continue providing feedback in the post-webinar surveys to help in this selection process. Additionally, we continue to seek enthusiastic individuals to serve as NJAFP board members. We connect monthly in a shared effort to identify interesting topics, obtain speakers, and prepare for our webinars.

As we resume our monthly webinars, we look forward to seeing everyone again and increasing the level of knowledge in food safety across New Jersey.

Best regards,

Jason Udrija
 President
 New Jersey Association for Food Protection

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FDA ISSUES TRACEABILITY RULE

In January 2011, President Obama signed into law the Food Safety Modernization Act (FSMA). The law was designed to empower the Food and Drug Administration's (FDA) ability to mandate recalls, protect against intentional adulteration, and embolden the Food Defense program. Also, FSMA allowed the FDA to provide a more consistent inspection frequency, records access of food providers, and environmental testing of facilities. Science-based preventative controls were put in place to prevent, or at least, lower the possibility of outbreaks and intentional adulteration of food that would be consumed by the public.

Fast forward to November 2022, the FDA has published a Final Rule (FSMA, Sec. 204) mandating traceability requirements for certain foods manufactured, processed, and imported into the country. In an op-ed column, Deputy Commissioner for Food Policy and Response, Frank Yiannas stated:

"[Food Traceability Final Rule] requires those manufacturing, processing, packing, or holding foods on the Food Traceability List to maintain key data elements (KDEs) – such as lot numbers and harvest locations – for critical tracking events (CTEs) along the food continuum and to send required KDEs to the next recipient of the food. Information can then be more easily connected so that a food can be tracked from farm to retail. This standardized, data-driven approach to traceability recordkeeping helps harmonize a universal language of food traceability that will help pave the way for industry to adopt and leverage more digital, interoperable, and tech-enabled traceability systems both in the near term and the future."

Not only is the Food Traceability Final Rule set to modernize food safety it will force industry to modernize their own operations.

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New Jersey Earns Low Marks in Cottage Food Survey

The Institute for Justice, a non-profit national civil-liberties law firm, published a survey of Cottage Food Laws of 50 states in February. This organization has fought to change laws in 20 states ranging from government regulations in cosmetology to eminent domain of private properties. This survey, titled "Baking Bad," is based off of three main categories with 17 subcategories. Favorable grades are provided to states with the least restrictions or guidelines on home-based food production. The main criteria includes Food Varieties (shelf-stable, refrigerated baked goods, meat, ROP.), Sales (annual sales cap, direct to customer, delivery), and Regulatory Burdens (license requirement, inspections, labeling, food handler certifications).

New Jersey was one of the last states to adapt a Cottage Food Law, doing so in October 2021. At a glance, The Garden State has incorporated the regulations of Cottage Food into its existing Food Code (N.J.A.C. 8:24), allowing only non-TCS foods to be prepared in a home kitchen, with a \$50,000 per year sales cap, whole-selling product is prohibited, but there is no inspection requirement of the facility prior to or during operations. Only in the event of a foodborne illness investigation will the facility require an inspection.

The survey gave New Jersey a final grade of 'C-' due to the restrictions on products allowed (D-), sales cap restrictions and no wholesale (C+), and the New Jersey Department of Health's licensure procedure (C-). There are approximately 850 licensed home-based operation licensed by the New Jersey Department of Health.

New Jersey's neighbors did not fare well either. Due to limiting operators to non-TCS foods and regulatory inspections, Pennsylvania and New York both earned a 'C+' while Delaware received the only 'F' in the survey mostly due to the restrictions on food varieties and government requirements.

The survey also concluded that Wyoming earned an 'A' mainly due to the fact that there no restrictions on any type of product that is permitted; TCS or non-TCS foods. The Cowboy State also allows for \$250,000 cap on sales and no licensure requirement for start-up or during operations. However, there is required verbiage on food labels stating that the products are homemade and not government inspected or licensed.

NJAFP Members: The NJAFP Board would be interested in knowing your reactions to this article and how the NJ Cottage Food Rule is perceived here. If you'd like to share your thoughts with us, please email us at: info@njfoodprotection.org.

FDA ISSUES TRACEABILITY RULE (continued)

In a November 16, 2022 editorial, *Food Safety News* stated:

Foods subject to the final rule requirements appear on the Food Traceability List (FTL). To determine which foods should be included in the FTL, the FDA developed a risk-ranking model for food tracing based on the factors that Congress identified in Section 204 of the FDA Food Safety Modernization Act (FSMA). These foods include fresh leafy greens, melons, peppers, sprouts, herbs, tomatoes, cucumbers, and tropical tree fruits, as well as shell eggs, nut butter, fresh-cut fruits and vegetables, ready-to-eat deli salads, cheeses (other than hard cheese), finfish, and crustaceans.

The FDA released a proposed rule in 2020 and held a public comment period where comments were received from food producers and other stakeholders through early 2021. In response, the agency has made several changes to the final rule so that it better aligns with current industry approaches to food traceability and harmonizes points in the supply chain where records must be maintained.

Key features of the final rule include:

Critical Tracking Events: *at specific points in the supply chain – such as harvesting, cooling, initial packing, receiving, transforming, and shipping FTL foods – records containing Key Data Elements are required.*

Traceability Plan: *information essential to help regulators understand an entity's traceability program. These include a description of the procedures used to maintain required records, descriptions of procedures used to identify foods on the FTL, descriptions of how traceability lot codes are assigned, a point of contact for questions regarding the traceability plan, and a farm map for those that grow or raise food on the FTL.*

Additional Requirements: *maintenance of records as original paper or electronic records, or true copies; providing requested records to the FDA within 24 hours of a request (or within a reasonable time to which the FDA has agreed); and providing records in an electronic sortable spreadsheet when necessary to assist the FDA during an outbreak, recall or other threat to public health.*

Though FSMA, Sec. 204 may seem to require more work for already taxed groups – regulators and industry - in the long run it will create a more efficient and transparent system meant to protect people.

FDA TRACEABILITY WEBINAR: <https://youtu.be/o-JDitUtpTg>

FDA TRACEABILITY HELPFUL LINKS

Food Traceability List — identifies the foods for which the additional traceability records are required.



FSMA Final Rule— Requirements for additional traceability records.



Congratulations to Our NJAFP 2023 Sustaining Members

HEALTH AND SANITATION SYSTEMS Ted Diskind Highland Park, NJ (732) 236-4508	WINWAM Software Neal Nover Mt. Laurel, NJ (856) 273-6988 www.winwam.com
PIZZA HQ Jason Udrija www.pizza-hq.com	FOOD SAFETY TALK PODCAST Don Schaffner and Ben Chapman www.foodsafetytalk.com



We truly appreciate your support and dedication to NJAFP!

Upcoming Meetings

November 2023

Speaker: Shannon Sked, Western Fumigation

Topic: Rodents (considering rats and mice from a food safety and public health perspective)

Date and Time: Wednesday, November 1st, 2023, 11:00 AM to 12:30 PM

These webinars are free and open to all, but you must register in advance. To register, please visit:

<http://njfoodprotection.org/upcoming-meetings>

NJAFP EXECUTIVE BOARD MEMBERS

2022

President	Jason Udrija	Jason@udrija.com
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Treasurer/Trustee	Don Schaffner	Don.Schaffner@rutgers.edu
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Member at Large	Kathleen Pearce	Kathleen.pearce@sodexomagic.com

WANTED!

If you are a local health department professional, employed at a food processor and are involved with QA or QC, or are involved with food safety academically...we want you to join our organization!

NJAFP is the foremost food safety organization in NJ. We are the NJ affiliate of the International Association for Food Protection (IAFP), the world's largest association of food safety professionals from industry, government, and academia.

If food safety is a critical component to the success of your company, then you need to be a part of NJAFP! We invite you to join us! It's inexpensive (\$25/year) and worth your time.

Please contact our NJAFP Board members for additional information.

The NJAFP Executive Board is also looking for a few new members. The Board meets or holds conference calls approximately six times per year. Members of the Executive Board are expected to attend all meetings and seminars. If interested, please contact us at info@njfoodprotection.org.

WANT TO RECEIVE OUR NEWSLETTER?

If you know someone who would like to receive our newsletters, please send their e-mail address to Virginia Wheatley at info@njfoodprotection.org. If you would like to be removed from our mailing list, please send an e-mail to info@njfoodprotection.org.