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Health and Safety Regulatory Update

LeAnn Chuboff

*Director, Science and Regulatory Relations
National Restaurant Association Solutions*

*NRA Risk and Safety Executive Study Group
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Card Check

- Organized labor's top priority in Congress is a bill called the "Employee Free Choice Act." Today, employees are entitled to a private-ballot election when deciding whether they want union representation in their workplace.
- If Congress passes the Employee Free Choice Act, employees effectively lose their right to private-ballot elections. The bill would establish a so-called "card-check" union organizing system, in which a majority of employees simply sign a card in favor of union representation.
- NRA has created a couple of websites to keep members informed on top issues: www.restaurant.org/cardcheck and www.restaurantactionnetwork.org. Go to these websites and sign in to get the latest information.
- NRA will be hosting a Card check webinar- January 23rd.



Americans with Disabilities Act Accessibility Guidelines

- On September 25, 2008, the President signed the Americans with Disabilities Act Amendments Act of 2008 ("ADA Amendments Act" or "Act"). The Act makes important changes to the definition of the term "disability" by rejecting the holdings in several Supreme Court decisions and portions of Equal Employment Opportunity Commission's (EEOC) ADA regulations.
- Protects persons with disabilities
- Certain Proposed Revisions/Technical Requirements
- Governs places of public accommodation – not employment
- Title III guarantees disabled individuals the “full and equal enjoyment of the goods, services, facilities, privileges, advantages or accommodations of any place of public accommodation.”



FDA Progress Report for 2008

- FDA issued a report entitled, “The one-year summary of progress under the food protection plan.”
- Provided the agencies approach for Prevention, Intervention and Response and the efforts the FDA has taken to address food safety and food defense in every step of the supply chain.
- Provided in the report were FDA’s accomplishments that included the establishment of five overseas offices and staffing measures; collaboration with the U.S. Department of Health and Human Services delegation to China; introduction of the CARVER self-assessment tool for industry; global meetings; hiring an International Coordinator; implementing melamine detection methods.
- Discussed some steps the agency took once a crisis was detected or as crisis prevention such as the inspection of 5,930 high-risk domestic food establishments; inspection of some high-risk companies during the Democratic and Republican National Convention; inspection and follow-up recall involving a canning facility.



Food Safety in the 21st Century- Best Practices throughout the Supply Chain

- NRA hosted a conference on global food safety in October 2008
- The goal for this conference was to provide an educational forum for food safety professionals to learn and share the challenges they face on food safety and emerging supply chain issues.
- An overview of the four Global Food Safety Initiative (GFSI) food safety standards: British Retail Consortium (BRC), Dutch HACCP, Safe Quality Food (SQF), and International Food Standard (IFS) were presented.
- This was a 3-day conference with sessions covering a wide range of topics on multinational and legislative trends and one full day committed to issues on specific commodities such as produce, meat and poultry, seafood and the distribution channel.



Education for 2009

National Restaurant Association is offering ten webinars in 2009 focused on a variety of cutting edge-issues designed to keep our stakeholders informed and engaged.

- February, Global Food Safety Initiative
- March, State Regulatory Planning
- April, Sustainability and Food Safety
- June, Sodium
- July, Conference for Food Protection Update
- August, National Food Safety Education Month
- September, Children's Menus
- October, Crisis Management
- November, Food Code Update
- December, Employee Training



2009 State Regulatory Strategy

Navigating the web of food safety regulations is top priority for Health and Safety Regulatory Affairs and the NRA has identified four strategies at the state and local level to accomplish this goal

- (1) Supporting uniform adoption of the 2005 FDA Food Code*
- (2) Assuring regulatory approval of ServSafe training & testing*
- (3) Uniform adoption and use of the Conference for Food Protection (CFP) companion inspection form*
- (4) Supporting uniform approach for epidemiological investigation in all states.*



Supporting uniform adoption of the 2005 FDA Food Code

- A 50-state survey was completed November, 2008 to identify those states that utilize the latest version of the FDA's model Food Code (2005). Currently eighteen states use the 2005 FDA Food Code as their template for regulatory rule-making.
- The survey also revealed that eleven states will be initiating consideration of regulatory change in 2009 (FL, KY, TN, MN, NV, NH, NJ, NY, RI, SC, and SD). The NRA is actively working with the State Restaurant Associations to integrate our strategies to assure a unified platform for regulatory adoption.
- In the last quarter, the NRA has evaluated proposed regulatory changes for the State of Kentucky and the City of Albuquerque. With our partners in each state, the NRA was able to identify proposed changes that were not based on the model food Code.



Assuring Regulatory Approval of ServSafe Training & Testing

- The NRA staff will continue to build and strengthen connections with federal, state and local regulatory agencies with the goal of building recognition and awareness of the ServSafe program and aiding in regulatory approval of the ServSafe programs; such as manager certification, online training and employee training, in mandatory (or soon to be mandatory) jurisdictions.
- We will continue to strengthen our position as an industry leader in food safety education with both industry and regulatory and keep up to date with regulatory efforts at the state and local level by working closely with or state and local regulatory officials.



Support uniform adoption of the CFP Inspection Form

- With over 5,000 regulators making inspections at restaurants, the NRA is working to assure these inspections represent a focused assessment of risk in the context of the overall food safety management strategy.
- With many inspection forms based on outdated versions of the Food Code, or inspection scores & grades being posted online for consumer access, the CFP companion inspection form offers a balanced alternative to traditional restaurant inspections.
- Whenever a state or locality considers proposing regulatory change, the NRA will work with stakeholders to include adoption of the CFP inspection form in the change.



Conference for Food Protection Strategy

The next biennial meeting of the Conference for Food Protection (CFP) will be held April 9-14, 2010 in Providence, Rhode Island. However, in the interim, the NRA is representing the restaurant industry segment on many of the Conference's committees such as:

- Criticality
- Foodborne Illness Investigation
- Hot-holding
- Partial Cooking
- Certification of Food Safety Regulators
- Sanitizer
- Allergen



ServSafe Update

ServSafe Custom Products- Partnered with Chick-fil-A to develop a manager online food safety program customized to food safety policies and procedures at Chick-fil-A

Employee Program- The ServSafe Starters guide was released in April of 2008 and the online program will be available in February.

Manager Program- The 5th Edition of the ServSafe Manager online food safety program was launched in October 2008.

5th Edition Videos- The videos are in the process of being updated to include the recent changes to the 5th Edition ServSafe program

International ServSafe Training- Currently gaining ServSafe course approved in key Canadian provinces and will focus on building and expanding international presence in the United Kingdom, Germany, Latin America, India and China .



Menu Labeling

- Requirements of menu labeling can include calorie counts or ranges of items or can also require the full gamut of nutrients such as saturated fat plus trans fat; grams of carbohydrates and milligrams of sodium.
- While menu labeling is typically targeted at “chains” with ten or more locations nationally, franchisees are not differentiated from their parent company and would be faced with the costs of compliance under the menu labeling proposals
- The National Restaurant Association, along with several member companies has joined the Coalition for Responsible Nutrition Information (CRNI). The mission of the CRNI is to provide consumers with comprehensive nutrition information about the food they consume while dining out
- CRNI supports the legislation's goal to replace a patchwork of inconsistent state & local ordinances that confuse consumers and burden local operators.



Children's Menus

- The health of children's menus is a major topic of discussion, and it is expected to be on the forefront of nutrition issues in the months and years to come
- Pressure from government and health communities is steadily building to urge, and potentially mandate restaurant, foodservice and packaged food industries to implement healthier menus for children.
- The Federal Trade Commission (FTC) released its widely anticipated report requested by Congress on the marketing activities and expenditures of the food industry directed toward children and adolescents in July 2008
- The FTC provided recommendations for marketing practices for companies. This recent report, along with a report from the Center for Science in the Public Interest on children's meals has escalated the attention on this important issue
- the National Restaurant Association is planning to partner with Shaping America's Health to examine the important issue of children's menus. Special attention will be given to culinary techniques, theories and practices that are currently being utilized in restaurant kitchens that promote a balanced approach to developing and introducing healthier menu items for children.



Sodium

New York City's Focus on Sodium Reduction

- NYC's Health Tsar, Dr. Thomas Frieden, and the New York City Department of Health and Mental Hygiene (NYC DOHMH) have passed several regulations regarding health and nutrition over the past several years. New York City's next topic is salt.
- NYC's stated intention is to work with the food industry to set realistic goals for sodium reduction. The objective of NYC Board of Health is a 20% reduction in sodium over 5 years) in processed foods (including packaged and restaurant foods).
- The National Restaurant Association submitted a letter of commitment stating that we will work with NYC on a voluntary reduction of sodium. The Association will proceed cautiously; this voluntary approach is most likely a first step toward mandatory reductions and/or regulations.



Next Meeting

- Save the Date for Denver!
- Scheduled for July 27, 28 and 29th
- Will send out a save the date as soon as hotel is confirmed.



THANK YOU

LeAnn Chuboff

Director, Science and Regulatory Relations

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LCHUBOFF@RESTAURANT.ORG