



A Broader Perspective

Bulletin

To: Our Clients and Friends

March 19, 2010

Food, Dietary Supplement and Cosmetic Regulatory and Policy Bulletin



Top News

FDA Seeks Comments on How to Improve Transparency

Under increasing criticism for its lack of transparency, [FDA formed the Transparency Task Force as a part of President Obama's campaign to "achieve an unprecedented level of openness in government."](#) FDA is [soliciting comments](#) from interested persons on ways in which FDA can increase transparency between FDA and regulated industry. FDA also issued a [press release on the subject](#). Interested parties must submit electronic or written comments by April 12, 2010.

U.S. and China Agree to Reopen Chinese Pork Market to

On March 18, 2010, USDA and the U.S. Trade Office announced that [the United States and China have reached an agreement to reopen the Chinese market to U.S. pork and pork products](#). U.S. Trade Representative Ron Kirk called the agreement a "win for America's pork producers, whose safe and high-quality exports can now flow freely into China and support agriculture jobs here at home."

Senator Gillenbrand Wants Improved Recall Notification

[Senator Kirsten Gillenbrand \(D-NY\) introduced the Consumer Recall Notification Act](#) earlier this week. The bill contains several measures that would improve the flow of recall information to consumers and state and local governments, such as requiring recall notices to be posted on grocery store shelves and sent directly to stores' loyalty card users, and ensuring that information gets directly to restaurants, retailers, and health workers. The measure may become part of the food safety bill currently pending in the Senate (S. 510).

EFSA Releases Results of Broiler Meat Safety Survey

The European Food Safety Authority released their [Analysis of the baseline survey on the prevalence of Campylobacter in broiler batches and of Campylobacter and Salmonella on broiler carcasses in the EU, 2008](#) – a study of the presence of the pathogens responsible for the two most frequently reported foodborne illnesses in Europe. [EFSA plans to use the data](#) as a baseline for following trends and evaluating the success of programs to reduce the bacteria. [EFSA called the results alarming](#) and said that the study confirmed that poultry was "a significant vehicle for exposure of the European consumer" to campylobacter bacteria. [In response to the study, Irish authorities are encouraging retailers to store poultry in leak-proof packaging](#) to prevent cross-contamination.

Los Angeles is “Hungry for Change” in Food Policy

With two-thirds of its city’s population overweight or obese, [Los Angeles is looking for ways to get healthier foods to its inhabitants](#). Experts believe that obesity may actually be related to hunger, theorizing that eating high-calorie foods that are low in nutritional value may lead to obesity. The L.A. city council, mayor, and county supervisors are all calling for solutions, including a policy task force, moratorium on fast-food restaurants in some areas of the city, and improving the distribution of leftover foods from restaurants.

Wal-Mart’s Heritage Agriculture Program Will Support Local Farmers

Earlier this year, [Wal-Mart launched Heritage Agriculture](#), a program that seeks to support local farms, women and minority owned suppliers, and buying ethnic items. The program also includes educating customers on the benefits of buying local.

Briefly Noted

[USDA issues consumer alert on keeping food safe during an emergency.](#)

[Canadian government will invest \\$170,000 in organic sector.](#)

[Representative DeLauro believes Senate will act in 2010 to pass food safety legislation.](#)

[Kraft announces it will reduce sodium in its foods by 10 percent in next two years.](#)

Recent Recalls

[Spice Barn Black Pepper](#) due to possible Salmonella contamination (March 17, 2010).

[Sunbird Seasonings, Williams Wings Seasonings, and Williams Gumbo Soup various seasoning and soup mixes](#) due to possible Salmonella contamination (March 17, 2010).

eFoodAlert.com has compiled a complete list of the many products recalled due to [contaminated HVP](#) and [contaminated pepper](#) (which led to the Salmonella Montevideo outbreak).

Recently Posted Warning Letters

A warning letters to [Registry Steaks & Seafood Ltd.](#) stated that FDA inspectors found serious violations of the seafood Hazard Analysis and Critical Control Point (HACCP) regulation at the company’s seafood processing facility and that the company’s products were additionally adulterated and misbranded because ingredients were added to the product to increase the product’s bulk or weight, the net quantity of contents on that product was misleading, and another product was marketed as one type of fish, but was in fact another type of fish.

Regulatory Notices

FSIS Updates

FSIS recently published the following revised export requirements and plant lists:

- [Russia \(Beef\) Plant List](#) (Mar 19, 2010)

FDA Transparency Task Force Requests Comments

FDA is soliciting comments from interested persons on ways in which FDA can increase transparency between FDA and regulated industry. In addition to the [Federal Register Notice](#), FDA also issued a [press release on the subject](#). Interested parties must submit electronic or written comments by April 12, 2010.

FDA Requests Comments on Prior Notice of Imported Food Information Collection

FDA published a [Federal Register Notice](#) to solicit comments on the information collection provisions of FDA’s regulations requiring that the agency receive prior notice before food is imported or offered for import into the United States. Interested parties must submit electronic or written comments by May 17, 2010.

FDA Requests Comments on Reportable Food Registry Information Collection

FDA published a [Federal Register Notice](#) to solicit comments on the information collection provisions of the agency's regulations that require registration for domestic and foreign facilities that manufacture, process, pack, or hold food for human or animal consumption in the United States. Interested parties must submit electronic or written comments by May 17, 2010.

FDA Requests Comments on Cosmetics Labeling Information Collection

FDA published a [Federal Register Notice](#) to solicit comments on information collection provisions in FDA's cosmetic labeling regulations. Interested parties must submit electronic or written comments by May 17, 2010.

Upcoming Meetings

USDA to Host Web Outreach Seminar on Sanitary Dressing Procedures

FSIS will host a Web outreach seminar on sanitary dressing procedures on **March 23, 2010** from 11:30 a.m. to 1 p.m. ET. Participants will gain insight on FSIS sanitary dressing procedures and how they are critical to reducing *E. coli* O157:H7 to undetectable levels. The discussion will also provide a better understanding of validated HACCP plans and interventions. To learn more, go to http://www.fsis.usda.gov/News_&_Events/Regulatory_Web_Seminars/index.asp.

FDA to Host Webinar Explaining Its Inspection Process

To ensure the safety of marketed products, FDA experts inspect domestic and foreign establishments, check shipments of imported products, and collect and test product samples for signs of contamination. On Thursday, **March 25, 2010** at 2 p.m., [FDA will host a Webinar on its inspection process](#). During this webinar, FDA experts will present information on

- the organization within FDA that is charged with conducting inspections
- the facilities FDA is responsible for inspecting
- what an inspection involves
- inspection follow-up and enforcement actions
- the rigorous training that inspectors receive

The presentation is designed for consumers and will run approximately 30 minutes and will include an opportunity to ask questions. Additional information on how to participate in the webinar is available in [FDA's announcement](#).

USDA to Host 2010 Food Safety Education Conference

USDA and [NSF International](#) are hosting the 2010 Food Safety Education Conference, *Advancements in Food Safety: Trends, Tools and Technologies*, **March 23-26, 2010**, at the Hyatt Regency in Atlanta. Food safety educators and other professionals worldwide will have the opportunity to discover the latest advancements in food safety education. To register and get more information, visit <http://www.fsis.usda.gov/Atlanta2010>.

FSIS to Host Public Meeting to Draft U.S. Positions for Codex Committee Meetings

[FSIS announced a public meeting to draft U.S. positions and receive comments on agenda items for discussion at the 26th session of the Codex Committee on General Principles \(CCGP\)](#). The public meeting will be held **March 23, 2010** in Washington, DC. A complete agenda and documents relating to the 26th session of CCGP will be available on the Codex Alimentarius Web site at <http://www.codexalimentarius.net/current.asp>. For more information about the public meeting, contact Barbara McNiff at (202) 690-4719 or Barbara.McNiff@fsis.usda.gov. Individuals are invited to submit their comments electronically to uscodex@fsis.usda.gov. The 26th session of CCGP takes place in Paris, France April 12 - 16, 2010. Additional information is available at http://www.fsis.usda.gov/News_&_Events/NR_030110_01/index.asp.

Additionally, on **March 29, 2010**, the [USDA Office of Food Safety and FDA](#) are sponsoring a public meeting to provide information and receive public comments on agenda items and draft U.S. positions that will be discussed at the 4th Session of the [Codex Committee on Contaminants in Food \(CCCF\)](#). Documents related to the 4th Session of the CCCF will be accessible via the World Wide Web at the following address: <http://www.codexalimentarius.net/current.asp>. The 4th Session of the CCCF takes place in Izmir, Turkey on April 26 – 30, 2010.

FDA, FSIS, and CDC to Host Public Workshop Measuring Progress on Food Safety

On **March 30, 2010**, in Washington, DC, FDA, FSIS, and CDC will co-host "Measuring Progress on Food Safety: Current Status and Future Directions," an inter-agency workshop where officials will discuss current and potential measurements for assessing progress in food safety and associated methodological issues as well as potential improvements. For registration information and general questions regarding the workshop, contact Juanita Yates at (301) 436-1731 or juanita.yates@fda.hhs.gov. Due to limited seating, preregistration is encouraged. Attendees may register in advance before March 24 at <http://www.fda.gov/Food/NewsEvents/WorkshopsMeetingsConferences/ucm201102.htm>.

USDA Workshops to Explore Competition and Regulatory Issues

Between March 12 and December 8, 2010, the Department of Justice and USDA will hold [five joint public workshops that will explore competition and regulatory issues in the agriculture industry](#). The workshops target issues of concern to farmers and the poultry, dairy, livestock industries. The final workshop will focus on price margins.

More Information

Archived issues of the Bryan Cave Food, Dietary Supplement, and Cosmetic Regulatory and Policy Bulletin are available at www.bryancave.com on the [FDA Practice Bulletins web page](#).

If you have any questions regarding any of these issues, please contact:

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