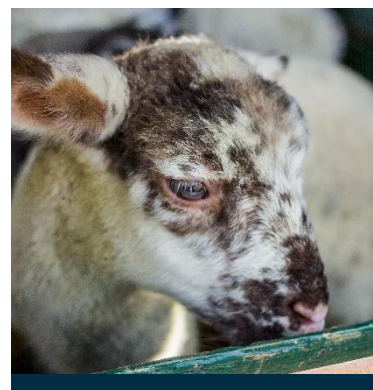




Michigan Food Law Update Proposal



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Topics Covered in Proposal

- Requirements
- Streamline/Clarify
- Administrative Updates



Requirements

2017 Food Code Adoption:

- Currently using 2009 version
- Certified Manager Program:
 - **Current:** Must Employ 1
 - **New:** All hours of operation
 - Create a 6-year phase
- Modifications to the Food Code:
 - Removing old modifications
 - Wild Mushrooms – Keep current
 - Allow untreated wood planks

Food Code

U.S. Public Health Service



2017

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES

Public Health Service • Food and Drug Administration

College Park, MD 20740

Requirements

Certified Manager Program

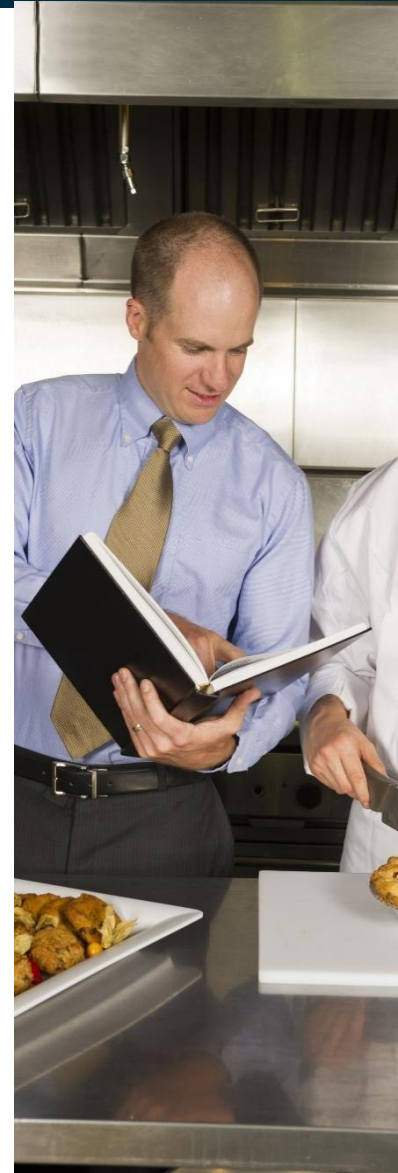
- Current coverage
 - Food service
 - Extended retail (seating)
 - Food service within retail
- Proposed Change (3-year implementation):
 - Food Service
 - ~~Extended retail (seating)~~
 - **Medium and high-risk retail establishments**
 - Food service within retail



Requirements

Certified Manager Program Changes

- Impact:
 - Level playing field for food service and retail.
 - More retail facilities will require Certified Managers
 - Average \$__ per course __ hours
 - Facilities with Certified Managers will need more coverage.
- MDARD Plan:
 - Create a 3-year and 6-year phase in:
 - 3 Years for newly covered retail firms to have at least 1 Certified Manager
 - 6 Years for all firms to have a Certified Manager at all hours of operation.



Requirements

Processing/Wholesale at Food Service:

- Current Law:
 - Over 50% Foodservice = LHD
 - Under 50% Foodservice = MDARD
 - No ability for both entities to license one establishment.
- Proposal:
 - Create a caveat for firms performing complex processing
 - A firm performing complex processing in addition to foodservice or retail can be regulated by both the LHD and MDARD or require 2 MDARD licenses.



Requirements

Processing/Wholesale at Food Service:

- Regulations for Processing vs. Food Service
 - Packaging, labeling, shelf life, traceability
- Federal Requirements
 - FDA or USDA Jurisdiction
- Specific Regulations
 - Low Acid Canned Food, Acidified Food, Juice, Seafood.



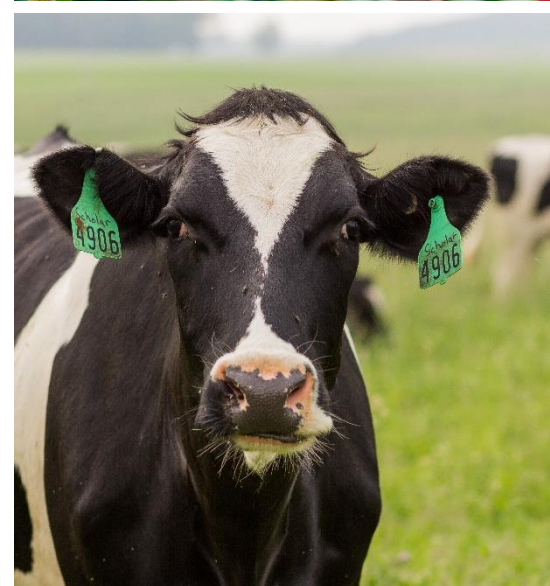
Requirements Continued

- Inspection of produce farms
- Add the ability to take videos
- FOIA protection for industry docs.
- Plan review:
 - Exemption if no seating removed
 - Charge for voluntary plan review
- Providing false information
- Mobile and transitory food units



Requirements Continued

- Remove limitation on fees MDARD could charge if LHD loses authority
 - Expand from 12 to 24 months
- CDC Outbreak Definition
- Remove cap for overall \$ value for fines.
- Remove \$150 limit for LHD temps



Streamline/Clarify

- “Providing to the Public”
- Works and staff (Institutional)
- Non-Food Business Exemption
- Allergen Labeling
- “Distributed to Public”
(Seizures)
- LHD review for licensing
- Increase Delegation to LHDs



Streamline/Clarify Continued

- Multiple Establishments on 1 premises
- Vending with single service frozen deserts
- “Lunch” to “Food” - Commercial Fishing
- License Extensions for Retail
- Add need for inspection to issue a license
- Update to Food Safety Education Fund
- Certificates of Free Sale



Streamline/Clarify Continued

- Clarify that all fees are not refundable
- Clarify the type of records for review
- Clarify confidentiality (not FOIA protection)
- Clarify all fees (not just license) must be paid before a license is issued
- Expand ability to enter into an agreement
- Mobile Food Establishments – Update for clarification



Streamline/Clarify Continued

- Clarify roles and responsibilities of LHD and MDARD in outbreaks
- Simplify review and agreement cancellation with LHDs
- Increase cancellation of delegation from 30 – 120 days.
- Clarify that an incomplete application fee can hold up a license.
- Clarify bottled water source approval



Administrative Updates

- Repeal Reg 570 (Certified Manager)
- Move Reg. 569 to Food Law and repeal (Smoked Fish).
- Update date for Federal Act
- Update date for Shellfish Act
- Update addition number of Foodborne Illness Procedures
- Add definition of Premises (in Food Code)
- Remove “Special” from Transitory Food Unit



Administrative Updates Cont.

- Update Bridge Card Language to match federal law.
- Report of violations – removed from 5109 due to coverage in 3127
- Compliance with Federal Regs:
 - Update 110 to 117
 - Remove Low Acid Canned Food
 - Remove Seafood HACCP
 - Remove Juice HACCP
- Fix an improper temp conversion



Questions?



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