Connecticut Department of Public Health

Testimony Presented Before the Public Health Committee

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Commissioner Raul Pino, M.D., M.P.H.
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Senate Bill 901 - An Act Concerning The Department Of Public Health's Recommendation Regarding Adoption Of A Model Food Code.

The Department of Public Health (DPH) supports Senate Bill 901, which would remove outdated statutory language regarding food service establishments and food service operators, and also codify the nationally recognized model food code. The Department would like to thank the Public Health Committee for raising the Department’s bill. Thank you for the opportunity to testify on this important issue.

Adoption of the federal Food and Drug Administration’s Model Food Code (FDA Food Code) will provide a current science-based framework for regulatory oversight of foodservice establishments throughout Connecticut. This will benefit both the public and the food industry. Adoption of the FDA Food Code will align Connecticut with other states that have already done so and provide an opportunity to implement prevention-focused, risk-based inspection practices based on current scientific data. In the northeast, Maine, New Hampshire, Rhode Island and Massachusetts have adopted the FDA Food Code and New York is currently pursuing adoption. In 2016, the Connecticut Department of Consumer Protection adopted the FDA Code to update standards concerning the retail food establishments that they regulate.

The FDA Food Code is developed through a national collaboration of federal, state, and industry partners and is updated every four years through a formal process. The Food Safety Modernization Act (FSMA) mandates the development of an integrated food safety system to build infrastructure and capacity of state and local regulatory agencies, achieve the public health goal of a safer food supply, and promote uniformity. Successfully achieving national uniformity related to food regulatory programs at federal, state, and local levels begins with a common foundation on which to build. The FDA Food Code provides that foundation, as well as an avenue to update such regulations every four years as new issues are submitted by the foodservice industry, regulators, academia, and the public and voted on by each state.

Adoption of the FDA Food Code would provide more training opportunities for local food inspectors as FDA provides both classroom and free online training courses. While this training
is currently available, it is not consistent with Connecticut’s current regulations and therefore not always relevant.

This is also a business-friendly initiative that will assist those foodservice corporations looking to establish restaurants in Connecticut. The majority of corporate food establishments model their retail operations to comply with the FDA Food Code, yet when they want to expand business into Connecticut they are hampered with having to modify procedures to comply with current Connecticut regulations. This places an unnecessary burden on companies wishing to bring their business to our state.

Most importantly, adoption of the FDA Food Code will benefit the public as it includes up to date interventions to reduce the risk for foodborne disease; especially for listeriosis, an often fatal disease that can result from eating fresh fruits and vegetables, deli meats, and other food items commonly consumed by the public.

In summary, adoption of the FDA Food Code will benefit: the food industry by providing uniform requirements and procedures; regulators by providing a modern science-based regulatory framework with standardized training and guidance materials; and the public with its focus on reducing the risk factors for foodborne disease.

The Department would like to offer technical corrections for your consideration. We welcome the opportunity to work with the Public Health Committee to draft substitute language.

Thank you for your consideration of this information.