



BOH Guide: #49 FDA Retail Standard 9 Policies

Board of Health and Local Health Department Standard Operating Procedures (SOP)

This **Checklist** highlights many of the steps needed currently to organize a Massachusetts Board of Health. The checklist is designed to be used in tandem with the **Alliance Food Safety Plan & Job Aids**. BOXES CAN BE CHECKED WITH the CURSOR.

Alliance Governing Board approved FDA Voluntary Retail Program Standard Policies

Alliance Boards of Health are encouraged to:

- Become Registered with the FDA Retail Food Program Standards.
- Participate in FDA Standards Assessments every 5 years.
- Adopt Alliance policies that conform to FDA Retail Program Standards as available.
- Promote Alliance education opportunities and trainings to food establishments and the public.
- Actively work towards improving food safety in the county by participating in online permitting and inspector trainings. and inviting the Food Safety Team to present at Board of Health Meetings.
- Follow the Massachusetts Food Code or adopt a more restrictive local regulation.
- Alliance Food Inspectors meet FDA Retail Standard 2 or are in the process of being trained to Standard 2 within 24 mo.
- Support the Alliance Food Safety Program.

FDA Voluntary Retail Program Standard 9 Policies

1. Risk Factor Study

- a) The Alliance completed a study on the occurrence of foodborne illness risk factors including data for each facility type regulated by the jurisdiction collected over the study cycle.
- b) The data collection form includes items pertaining to the following Center for Disease Control and Prevention (CDC) identified contributing factors to foodborne illness. 1. Food from Unsafe Sources; 2. Improper Holding/Time and Temperature; 3. Inadequate Cooking; 4. Poor Personal Hygiene; and 5. Contaminated equipment / Protection from contamination.
- c) The data collection form provides for marking actual observations of food practices within an establishment (IN, OUT, NO, and NA).

2. Report of Analysis and Outcome

- a) A report is available that shows the results of the data collection from the jurisdiction's foodborne illness risk factor study.
 1. Food from Unsafe Sources
 2. Improper Holding/Time and Temperature
 3. Inadequate Cooking
 4. Poor Personal Hygiene
 5. Contaminated equipment / Protection from contamination
- b) The report provides quantitate measurements upon which to assess the trends in the occurrence of foodborne illness risk factors over time

3. Intervention Strategy

- a) A targeted intervention strategy designed to address the occurrence of the risk factor(s) identified in their risk factor study is implemented and the effectiveness of such strategy is evaluated by subsequent risk factor studies.
- b) Documentation is provided of performed interventions, action, or activities designed to improve control of foodborne illness risk factors

Notes:

The Commonwealth of Massachusetts
Executive Office of Health and Human Services Department of Public Health - Bureau of
Environmental Health

Food Protection Program
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To: Massachusetts Boards of Health
From: Michael J. Moore, Director MDPH/BEH/FPP
Date: May 14, 2019
Re: Report on Conformance with FDA VNRFRPS #1

Findings

On March 12, 2019, the Massachusetts Department of Public Health (DPH) confirmed that DPH regulation 105 CMR 590.000 meets Program Standard 1, *Regulatory Foundation*, of the US Food and Drug Administration (FDA) Voluntary National Retail Food Regulatory Program Standards (VNRFRPS).

This conformance with Standard 1 will remain in effect until 2025, and will also apply to any Board of Health that enforces DPH regulation 105 CMR 590.000 until 2025.

Background

On September 12, 2018, the Public Health Council of the Massachusetts Department of Public Health (DPH) approved amendments to DPH regulation 105 CMR 590.000, *State Sanitary Code Chapter X – Minimum Sanitation Standards for Food Establishments*. This DPH regulatory action was filed with the Secretary of the Commonwealth and became effective on October 5, 2018 upon publication in the Massachusetts Register.

In addition to the provisions set forth in 105 CMR 590.001(B) through 590.018, the regulation adopted by DPH adopts and incorporates by reference the 2013 FDA Food Code (not including Annexes 1 through 8), as amended by the Supplement to the 2013 Food Code released in 2015.

On February 26, 2019, the DPH Bureau of Environmental Health, Food Protection Program completed a self-assessment of the newly-adopted 105 CMR 590.000 for compliance with VNRFRPS Program Standard #1. The following self-assessment worksheets demonstrate full conformance results for Standard # 1 - Parts I, II, and III. A verification audit conducted on March 12, 2019 confirmed that 105 CMR 590.000 met VNRFRPS Program Standard #1, and that all interventions and risk factor controls were met in full by verification audit cycle as required by the VNRFRPS.