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**Food Safety Modernization Act (FSMA)  
Sanitary Transportation of Human and Animal Food (STF)  
Friday June 17, 2016**

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# Overview

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- STF overview
- Key changes
- STF highlighted topics to address
- Timing for final rule

# STF Overview

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- Objective of the rule: Prevent food from becoming unsafe
  - Ensuring food is properly refrigerated
  - Vehicles and equipment are properly cleaned/sanitized
  - Ensuring food is properly protected during transport



# STF Overview

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- Establishes requirements for shippers, carriers by motor or rail vehicle, loaders and receivers involved in transporting human and animal food
  - Does not apply to other modes – water or air



# STF Overview

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- Based on 2005 Act and best practices (SOPs)
- Topics addressed:
  - Vehicles and transportation equipment
  - Transportation Operations
  - Training
  - Recordkeeping
  - Waivers
- Does not address food security (i.e. seals, locks)
- Proposed Rule had several areas of concern

# Who is covered?

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- Shippers, carriers, loaders and receivers engaged in “transportation operations” whether or not the food is being offered for or enters interstate commerce
    - **Shipper** – a person who arranges for the transportation of food by a carrier or multiple carriers (ex. Brokers)
    - **Carrier** – a person who physically moves food by rail or motor vehicle
    - **Loader** – a person that loads food onto a motor or rail vehicle during transportation operations
    - **Receiver** – any person who receives food at a point in the U.S. after transportation
- \*note – a person can fill multiple roles

# Who is not covered?

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- **Very small businesses**
  - Less than \$500,000 in annual revenue (avg over 3 years)
- **Those engaged in food transshipped through the U.S.**
  - Note – food produced in the U.S. for export is covered
- **Food located in a facility already regulated by USDA**
- **Farms performing transportation operations**
  - PR only exempted raw agricultural commodities (RACs)

# What food is NOT covered?

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- Foods completely enclosed by a container that are not temperature controlled for safety (TCS)
  - Chocolate or frozen food refrigerated for quality
  - Note – pallet wrap is not considered a food container
- Compressed food gases
- Human food byproducts transported for animal feed not subject to further processing
- Live animals



# Significant Changes

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- Sanitary transportation requirements are to be based on the intended use of the vehicle (human or animal food), and on the production stage with which the food is in (raw vs finished)



# Significant Changes

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- Prescriptive requirements for recording temperatures have been replaced by leaving it to the discretion of the shipper
- A key provision making reference to the term “adulteration” has been replaced by a provision more closely to a “see something, say something” approach



see  
say SOMETHING

# Transportation Operations

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- Operations must be conducted under appropriate conditions and controls preventing unsafe food
  - Protective measures to protect food from (cross)contamination by raw and non-food items
  - Segregation/isolation for bulk vehicles form contamination
    - ✦ Compartmentalized or back haul
  - Ensure TCS food is transported at the correct temperature
- Type of food and its production stage must be considered in determining conditions for transport
  - Raw ingredients, pet food, human food, animal food, TCS, etc.

# Training and Recordkeeping

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- **Training**

- Shipper requires level needed
- FDA to offer a 1 hour web based training on basics of rule
  - ✦ Not mandated

- **Recordkeeping**

- Follow shippers guidelines, be able to show SOPs in case of an audit
- FDA is requiring records be kept showing the process not the details (ex. Records are not required for every temperature controlled load for the past 12 months)
- Elimination of 3 previous loads requirement



# Timing

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- July 30, 2014 – Initial STF comment period closed
  - Following 60 day extension
- March 31, 2016 – STF sent to Fed Reg
  - 60 days after publication (6apr16) rule goes into effect
  - Compliance dates – April 6, 2017 for large business and April 6, 2018 for small businesses (<500 employees or <\$27,500,000 in annual receipts)
- Enforcement?

# Questions?

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# Contact Info

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