



# Michigan Department of Agriculture & Rural Development

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## Food Digest

Food and Dairy Division Winter 2012

### FDA's Reportable Food Registry

Since 2009, the U.S. Food and Drug Administration (FDA) has required registered food facilities to file a report through the Reportable Food Registry (RFR) when there is reasonable probability that use of, or exposure to, a food will cause serious adverse health consequences or death to humans or animals.

The "responsible party" of registered food facilities that manufacture, process, pack, or hold food for human or animal consumption are required to report. The "responsible party" is the person who (1) submitted the food facility registration required under the Federal Food, Drug, and Cosmetic Act, and (2) determined that a food is a reportable food.

The report must include as much of the following information that is available:

- facility registration numbers of the responsible party;
- date on which the food was determined to be a reportable food;
- description of the food, including the quantity or amount;
- extent and nature of the reportable condition;
- any results of investigations into cause of reportable condition (if it possibly originated with responsible party);
- disposition of the article of food; and,
- product information typically found on packaging, including product codes, use-by dates, and names of manufacturers, packers, or distributors sufficient to identify the affected food.

The RFR covers all foods regulated by FDA except infant formula and dietary supplements. Examples of reportable foods include: adulterated foods; major undeclared allergen; food pathogens in ready-to-eat foods; and chemical contaminants. For more information on the RFR, visit [www.fda.gov/ReportableFoodRegistry](http://www.fda.gov/ReportableFoodRegistry).

### Food Law Update

MDARD has worked with 45 food industry associations over the past year to update Michigan's food law to adopt the 2009 FDA Model Food Code, simplify licensing and regulation, update the state's regulations on egg safety, and adopt a model shellfish code. MDARD hopes to have Michigan's food law updated by fall of 2012.

To view the proposed bill and track its progress, visit: <http://www.legislature.mi.gov> and search for Bill Number 5130.

### Preventing Contamination in Food Processing Facilities

An increasing number of foodborne illnesses and product contaminations are being linked to bacteria lurking in processing plants and finding their way into finished products. By following several preventative practices, processors can prevent unwanted contamination from entering and moving around processing plants. These include:

- Divide your plant into zones to prevent bacteria from entering, and prevent what does enter from moving to your finished product processing area.
- Determine the bacteria you need to control for -- usually Listeria or Salmonella. Plants that run dry processes should follow Salmonella prevention practices, and plants that run wet processes should follow Listeria prevention practices.
- Conduct environmental sampling to determine if you have bacteria that could be contaminating your product. Environmental sampling is considered a much better method of finding potential contamination than just relying on finished product testing.

Visit MDARD's website at [www.michigan.gov](http://www.michigan.gov) and click on "Resources for Industry" to find detailed documents on:

- o Zoning in processing plants
- o Controlling Listeria in processing
- o Controlling Salmonella in processing
- o Conducting environmental sampling

### MDARD Contact Information

**Phone:**  
1-800-292-3939

**After Hours Emergencies:**  
517-373-0440

**Email:**  
[mda-info@michigan.gov](mailto:mda-info@michigan.gov)

**Fax:**  
517-373-3333

**Web:**  
[www.michigan.gov/mdard](http://www.michigan.gov/mdard)

**Electronic Complaints Submission:**  
[www.michigan.gov/complaints](http://www.michigan.gov/complaints)

**Licensing/Business Start-up Information:**  
[www.michigan.gov/business](http://www.michigan.gov/business)

**Marketing Information:**  
[www.michigan.gov/mdamarketingguide](http://www.michigan.gov/mdamarketingguide)

## Recordkeeping and your Next Recall

In 2002, FDA developed rules and guidance to facilitate the “trace back” and “trace forward” of food in commerce. Recent outbreaks associated with cantaloupe, nuts and lettuce highlight the importance of records in a foodborne illness investigation. Accurate records can significantly reduce the time it takes to respond to an outbreak and may reduce the outbreak’s impact.

Good records capture all the information needed to recall products at the consumer level. At a minimum, the law requires all food processors and grocery stores to be able to identify: 1) the source of all food items or ingredients manufactured and sold by the company; 2) the products specific ingredients were used to create; and 3) to whom all food products were sold.

You should maintain the following basic information for foods you receive for sale or use as an ingredient in a product you are manufacturing:

- Name/address, phone and fax numbers, and email address, if available, of each firm;
- The type of food, including brand name, and specific variety (e.g., Romaine lettuce, not simply lettuce);
- Date received;
- Quantity and type of packaging (e.g., 12 oz. bottles);
- If it is an ingredient, the lot code or other identifier;
- Name, address, telephone and fax numbers and email address of the product transporter.

This information is typically found on an invoice. You should not need to create a new record to meet the requirements of the law if you have an existing record that captures the information. You just need to maintain the record.

If you are a food processor or manufacturer, you need to provide the same information on the products you distribute or sell. You also must include any information that is reasonably available to identify the specific source of each ingredient that was used to make every lot of finished product.

If you hire another company to transport your products, the transportation company’s basic information also needs to be included with each shipment.

More information is available in the FDA publication, “What you Need to Know about Establishment and Maintenance of Records”, available at: <http://www.fda.gov/downloads/Food/GuidanceComplianceRegulatoryInformation/GuidanceDocuments/FoodDefenseandEmergencyResponse/UCM113920.pdf>

## Avoid Late Fees:

### Submit Your License On Time

Each year, a small percentage of businesses place themselves in the unfortunate position of having to pay late fees and fines, or even receive closure orders, because their food establishment licenses were not renewed on time. All food establishment licenses expire on **April 30** each year.

#### Late fees and fines are progressive and may include:

- \$100 late fee (\$10/day)
- \$400 fine (1st year late)
- \$800 fine (2nd year late)
- Closure order and legal action

MDARD sends license renewals for current licensed establishments early in the year. If you have not received a renewal application in the mail by March 15, call MDARD’s Central Licensing Unit at 517-241-6666 to ensure the correct address is listed and request another application be sent. Be sure to mail the renewal so it is postmarked before April 30.

If you are notified that your renewal was late, promptly submit any late fee in order to avoid additional fines and penalties.

And remember, your food establishment license must be conspicuously posted. For additional information or questions, contact MDARD’s Central Licensing Unit at 517-241-6666.

### Reminder: Renew Your License Online

When you renew your food establishment license online through the Michigan Business One Stop, you can have your license renewal in your hands within a few days!

Review the information in SECTION A of your renewal notice. If there are no changes to the information in SECTION A, you can renew online. After you pay for the items in your shopping cart, your renewal application is immediately forwarded to MDARD where it will receive expedited processing. Most applicants will be able to print their eCredentials from their One Stop accounts within five business days.

If you have changes to any information in SECTION A, you can still mail your application with the required fee. If you need to apply for a new license because of ownership or address changes, you can also do that online through the Michigan Business One Stop portal.

Visit [www.michigan.gov/business](http://www.michigan.gov/business). Representatives from the Michigan Business One Stop portal are on duty Monday through Friday, 7 a.m. to 6 p.m., to assist you.

## Mi-Inspector: A Consolidated Food Safety Solution

In September 2011, the Food and Dairy Division implemented Mi-Inspector, an electronic food safety system that captures establishment, evaluation, enforcement and certified manager information for all of the Division’s licensed food establishments. Mi-Inspector consolidates several former stand-alone systems, including those for plan reviews, seizures and enforcement. This consolidation of food establishment information into a single system will allow for improved analysis of data, giving consumers, industry and regulators a better picture of food safety issues in Michigan. In the next phase of the project, the Division will be working with the Department of Technology, Management and Budget (DTMB) to make evaluation reports available online.