A Message from the Editors:

While it's been less than six months since our last newsletter, we felt it was important to give you a "heads up" on what's coming in regard to food biosecurity guidance and regulations. As more information becomes available, we will keep you posted.

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Have You Thought About Food Biosecurity?

After the tragedies of September 11, 2001, all sectors of the food industry now have to deal with a darker side of food safety, food biosecurity, or food "bioterrorism". This means the criminal or malicious contamination of food. This is not about time and temperature.

What does this have to do with you? The US Food and Drug Administration (FDA) finalized guidance in January 2002 for food producers, processors, transporters, retailers, importers, and filers, called "Food Security Preventive Measures Guidance". These can be found at <http://www.cfsan.fda.gov/~dms/secguid.html> and <http://www.cfsan.fda.gov/~dms/secguid2.html>.

The guidance documents are designed to help firms that produce, process, store, repack, relabel, distribute, or transport food, as well as food importers, warehouses, and filers, identify preventive measures to minimize the risk that food under their control will be subject to tampering or criminal or terrorist acts. It is relevant to all sectors of the food system (i.e. from farm to table), including farms, aquaculture facilities, fishing vessels, producers, transportation operations, processing facilities, packing facilities, warehouses, and retail and food-service establishments.

On June 12, 2002, President Bush signed the "Public Health Security and Bioterrorism Preparedness and Response Act of 2002". This is not guidance any more and this Act will impact people in the seafood industry. The food and drug provisions of the Act represents an expansion of FDA’s enforcement authorities.

The part of the Act that affects the seafood industry is Title III, Subtitle A, Protection of the Food Supply. Key sections include protection against adulteration of food, detention of food that presents serious adverse health consequences or death, debarment for
repeated or serious food import violations, registration of food facilities, maintenance and inspection of records for foods (traceback), prior notice of imported food shipments, authority to mark articles refused admission into the U.S., and prohibition against port shopping, among others.

Certain provisions of the Act require the FDA to issue final regulations no later than **December 12, 2003**. In absence of final regulations by this date, certain requirements will still automatically take effect (i.e., registration of food facilities and prior notice of imported food).

If you are interested in reading more about the food provisions of the Act, go to <http://www.cfsan.fda.gov/~dms/fsterr.html> and click on "Public Health Security.....Act of 2002". If you are suffering from insomnia and would like to read the entire bill, go to <http://thomas.loc.gov> and search for Bill No. H.R. 3448.ENR. In any event, we will keep you posted as more information becomes available.

Any questions? Call Lori Pivarnik at (401) 874-2972 or Nancy Balcom at (860) 405-9127.