

January 2022 ACS Meeting with FDA

On January 24, 2022, ACS and FDA met to discuss issues and concerns affecting the cheese industry. Eight ACS Board, Committee members and staff were updated by eight FDA officials on a variety of subjects.

Mark Moorman, Director, Office of Food Safety, CFSAN, opened the meeting, saying, "FDA is still learning a lot about food safety. We want to make sure our policies products work for both small and large firms. We are taking a new approach with the 'New Era of Food Safety' initiative."

Lynn Giacomini Stray, American Cheese Society President, thanked FDA for bringing so many people together to hear the voice of the artisan cheese community.

FDA Inspection Policy

Ron Tanner, vice chair of the Regulatory & Academic Committee, opened the discussion by noting that FDA had significantly altered its inspection process during COVID, cutting back or even eliminating in-person inspections in favor of remote inspections, focusing on food safety records. He asked if that process would continue in 2022 and beyond.

FDA lead Lisa Romano said that its Remote Regulatory Assessments (RRA) had been helpful in determining the overall state or quality of facilities that manufacture products. The RRAs are not considered FDA inspections and do prepare companies for on-site inspections by alerting them to issues before the inspectors arrive. RRAs and on-site inspections will both take place in 2022.

FSMA Guidance Documents Status Update

Jenny Scott, Senior Advisor, Office of Food Safety, CFSAN FDA lead, said that FDA is working on two FSMA guidance documents that should be released in 2022--a document on allergens and a revised compliance and policy document for listeria. In addition, a revised Appendix 1 for HACCP that lists the foods and hazards and more documents on intentional adulteration are expected.

New Era of Smarter Food Safety

The New Era of Smarter Food Safety represents a new approach to food safety, leveraging technology and other tools to create a safer food supply. Introduced by FDA in July 2020, this approach will map out how food safety will be assessed by industry and the FDA over the upcoming decade.

Adam Brock, ACS Board member and Chair of the Regulatory & Academic Committee, asked how the New Era related to FSMA. Moorman responded that FSMA should still be the priority for cheesemakers as the New Era is still in development.

Role of FDA in E-Commerce

Tanner complimented FDA on its three-day program in October 2021 that addressed the role of FDA in E-commerce. Whereas FDA can oversee the safety of products as they are manufactured, it

currently has no authority over the “last mile” with delivery services such as Amazon, Thrive, Uber Eats and so on.

Stray expressed how much growth has come from e-commerce orders for her company and other cheesemakers, adding that the safety of product after it leaves the facility is out of her control. Moorman replied that this is very much on FDA’s radar and that the concern will be addressed.

Alkaline Phosphatase in Cheese

Brock asked whether FDA had approved tests to determine whether milk is properly pasteurized. Beth Briczinski, Senior Science Advisor for Milk Safety, Office of Food Safety, CFSAN, said that FDA’s ability to do research is very curtailed right now, so no other tests have been evaluated. She asked why these tests need to be done. Brock said that he sees an increased need for rapid testing in the future.

Hispanic Style Cheese

Briczinski said that FDA has been struggling with the safety of Hispanic-style cheese for decades and is having challenges reaching these firms. She asked for ACS assistance to identify Hispanic-style cheesemakers.

It was decided that ACS and FDA would meet again in the spring, and that they would continue to discuss an FDA speaker for the July conference in Portland.

By Ron Tanner
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