



Food Service Advisory Committee Meeting

Center for Health Protection
Foodborne Illness Prevention Program
Meeting Minutes, May 13, 2025 at 1pm
MS Teams Virtual Meeting

Members Present:

NAME	ORGANIZATION
Greg Astley (Chair)	Oregon Restaurant and Lodging Association
Kevin Sanderson (Vice Chair)	New Seasons Market
Eric Mone	Conf. of Local Env. Health Supervisors (CLEHS)
Judy Craine	General Public
Janelle Cometa	In N Out Burger
Katey Kennedy	Food and Drug Administration
Scott King	Elephants Deli
Lauren Jones	Oregon Department of Agriculture

Members Absent:

NAME	ORGANIZATION
Dan Tew, Unexcused	YUM! Brands
Jared Hibbard-Swanson, Excused	Oregon State University Extension
Stacey Willson, Excused	Sodexo

OHA, Public Health Division Staff:

NAME	OHA, Foodborne Illness Prevention Program
Erica Van Ess	FPLHS Program Manager
Craig Geddes	Consultation and Training Officer
Eric Evans	Consultation and Training Officer
Cris Hernández	Consultation and Training Officer

Guests:

NAME	ORGANIZATION
Rachel Stephens	In N Out Burger, Supervisor
Daniel Herrera	In N Out Burger, FSQA Field Specialist
Phillip Kailiuli	Douglas County
Taylor Hughes	Douglas County

Handouts provided to all attendees:

Minutes from February 6, 2025 (in advance via email)

Roll Call and Introductions

It was determined that a quorum was present. (6)

Minutes from the February 6, 2025 Meeting


Approved with no changes. No discussion.

FDA FSMA Food Traceability Rule

Katey Kennedy, FDA **Informational**

Today's meeting is to start this conversation and with the option for further discussion on down the road in more detail. The discussion related to the Food Safety Modernization Act Final Rule on Requirements for Additional Traceability Records for Certain Foods.

Discussed the establishing record keeping requirements for anyone that holds certain foods (where retail is included). Goal is to have more efficient and accurate traceability of potentially contaminated food. For retailers it is just records about holding the food – does not address what is sold to the consumer. Certain small restaurants are exempted they meet certain criteria. There are 24 items included:



Cheese (made from pasteurized milk), fresh soft or soft unripened	Tomatoes (fresh)
Cheese (made from pasteurized milk), soft ripened or semi-soft	Tropical tree fruits (fresh)
Cheese (made from unpasteurized milk), other than hard cheese	Fruits (fresh-cut)
Shell eggs	Vegetables (fresh-cut)
Nut butters	Finfish (histamine-producing species) (fresh, frozen, and previously frozen)
Cucumbers (fresh)	Finfish (species potentially contaminated with ciguatera) (fresh, frozen, and previously frozen)
Herbs (fresh)	Finfish, species not associated with histamine or ciguatera (fresh, frozen, and previously frozen)
Leafy greens (fresh)	Smoked finfish (refrigerated, frozen, and previously frozen)
Leafy greens (fresh-cut)	Crustaceans (fresh, frozen, and previously frozen)
Melons (fresh)	Molluscan shellfish, bivalves (fresh, frozen, and previously frozen)
Peppers (fresh)	Ready-to-eat deli salads (refrigerated)
Sprouts (fresh)	

There is more detail on website, generally foods related to outbreaks:

<https://www.fda.gov/food/food-safety-modernization-act-fsma/food-traceability-list>. If restaurants are wholesaling foods, then they need to comply (but not sales to customers). FDA will have a searchable database on the website and is creating a portal where operators can upload records, etc. They have a template for the traceability plan online for operators. Training for all users is being developed now and will be available in the fall, 2025. Operators can send questions to the FSMA Technical Assistance Network (TAN) to go into the Q and A. June 2028 is the new due date.

Legislative Update

Greg Astley/Erica Van Ess **Informational**

- SB551 Single use utensils, plastic bags, hotel sundries.
 - The bill had been modified to remove utensils and hotel single use items. Only single use plastic bags remain in the bill.
 - Has the Department of Environmental Quality as the oversight organization.
- HB3018 Food waste
 - Requires entities that cook, assemble, process, serve or sell food to recover and dispose of food waste as specified in the Act.
 - Has the Department of Environmental Quality as the oversight organization.

Update - Unlicensed Mobile Units

Erica Van Ess

Informational

OHA provided a recap of the details surrounding the unlicensed "pop-up" push carts selling food around the state. Several counties utilizing a multi-agency focus for enforcement of these carts report some success. Counties that responded early with police presence also feel that approach was successful as well.

Food Rule Adoption

FIPP Staff

Informational

OHA discussed the rule adoption process and the food service advisory committee's role in providing recommendations to the agency under the Operational Guidelines as well as having a representative on the rule advisory committee.

The Foodborne Illness Prevention Program is using 2009 Food and Drug Administration (FDA) Food Code now, and there have been many changes over the years. The committee discussed the significant changes of what has been added since Oregon's last adoption. OHA may adopt or reject any/all of the changes based on feedback from the rule advisory committee.

Potential significant changes are: Certified food protection manager (CFPM), Employee health, Vomiting and diarrhea clean up procedures, Food donation, Preventing contamination from hands Manufacturer cooking instructions, Thawing, Food allergens, Detergent-sanitizers/disinfectants, Handwashing facility installation.

The three main topics of discussion were prohibiting bare hand contact with ready to eat foods, certified food manager training requirements and allergen notification.

- **Prohibition of Bare Hand Contact with ready to eat foods (3-301.11 Preventing Contamination from Hands)**

OHA discussed that the science now shows clearly that even double handwashing is not adequate to prevent the spread of norovirus from sick workers to customers. And that even though Oregon has focused on additional handwashing historically, additional measures must be taken to prevent the public from getting sick. OHA stressed that the focus would be on using reusable utensils like tongs, spoons, spatulas, etc. to prevent workers touching food with their bare hands and not on glove use. There are many challenges with glove use by food workers and OHA would prefer other methods are used instead if this rule provision was adopted

In committee discussion, a member expressed concerns that requiring gloves in all situations is counterproductive as employees can think they are "bulletproof" when wearing gloves". They would like to see a strong educational component for food workers that includes discussion about why tongs, etc. are useful. The member expressed support if it was clear it was not a "glove rule". Regulators on the committee reiterated that Norovirus dominates Oregon's foodborne outbreaks and that they support this intervention. Other members that operate in Department of Agriculture facilities and other states discussed their support of this provision to be consistent within Oregon's food safety agencies as well as with other states. The Restaurant and Lodging Association representative felt their constituents would be interested in keeping the rules as they are with no changes and asked that OHA evaluate the cost component to provide education to all food workers and managers statewide. The FDA representative discussed their agency's position utilizing a "three legs of the stool" analogy, which includes handwashing, employee health and no bare hand contact with ready to eat foods. A jurisdiction must have all three pieces in place to for effective control of foodborne illness risk factors. Currently, Oregon's "stool" only has two legs.

- **Food Manager Certification Training Presentation**

OHA provided an overview on the proposed Food Manager Certification Training requirement. Historically the Food Service Advisory Committee has supported this training requirement with a phase-in period to allow food service facilities time to come into the compliance with the requirement. Members also wanted to ensure

that there is enough availability of courses as well as options in other languages. The committee expressed ongoing support with a phase in period. Committee members also asked if this would apply to temporary restaurants and the OHA will add that to the rule advisory committee agenda for discussion.

- **Major Food Allergens 3-602.12 Major Food Allergens**

This would include adding sesame as a major allergen and a section under 3-601.12 would add a requirement to notify consumers with a written notification of the presence of major food allergens. The committee discussed that the scope of the menu labeling piece is intimidating. For example, one of the members has a menu with 150 menu items and others have rotating seasonal menus that are not stored electronically. The committee supported removing the menu labeling provision as being overly burdensome to food service facility operators.

Reports from FSAC Committee Members and Foodborne Illness Program Staff

Public Comments - no additional comments provided.

Adjourn – 3:21 PM

Next Scheduled Meetings:

- August 7, 2025
- November 6, 2025