

# Sanitary Transportation of Human and Animal Food





# How does food become contaminated?

- Microbes in healthy animals; contamination occurs during slaughter process
- Fresh fruits, vegetables contaminated by washing or irrigating with human sewage or animal manure
- Shellfish contaminated by bacteria found in sea water
- Food processing/handling by humans who have been infected
- Bacteria multiply rapidly in warm, moist conditions; insufficient or lack of refrigeration
- Contamination may be caused by purposely infecting foods
- **MAY OCCUR DURING TRANSPORTATION!**

# Food Safety Modernization Act

- Signed into law on January 4, 2011; intended to allow FDA to better protect public health by helping to ensure the safety and security of the food supply.
- Applies to manufacturers, processors, transporters and distributors
- Mandates rule-making by FDA to address safe transportation of food
- Final rule published June 6, 2016
  - Establishes requirements for shippers, loaders, transporters (rail & highway), and receivers engaged in the transportation of food, including food for animals, to use sanitary transportation practices to ensure the safety of the food they transport.



# Types of food affected by FSMA

- FDA regulated human food, including raw materials and ingredients
- USDA regulated meat, poultry, egg products
- Molluskan shellfish (oysters, scallops)
- Foods not affected by FSMA:
  - Foods completely enclosed by a container that do not require temperature control for safety
  - Compressed food gases
  - Frozen and packaged foods that are refrigerated only for quality reasons (some fruits, vegetables)
  - Human food byproducts for use as animal food without further processing
  - Live food animals



# Compliance with FSMA Transportation rule

- Compliance dates:
- **Small Businesses** - businesses other than motor carriers who are not also shippers and/or receivers employing fewer than 500 persons and motor carriers having less than \$27.5 million in annual receipts would have to comply two years after the publication of the final rule (4/6/2018)
- **Other Businesses** - a business that is not small and is not otherwise excluded from coverage would have to comply one year after the publication of the final rule.
- (4/6/2017)

# The rule: 21 CFR, § 1.900 to § 1.934

- Applies to shippers, receivers, loaders, transporters
  - Shipper = manufacturer or freight broker who arranges for transportation in the U.S. by a carrier
  - Receiver = any person who receives food at any point in the U.S. after transportation
  - Loader = any person who loads food onto motor carrier or rail for transportation
  - Carrier = person who owns, leases or is otherwise responsible for transporting food by rail or highway; does not include parcel delivery

# Requirements for vehicles & transportation equipment (§ 1.906)

- Must be cleanable
- Must be sanitary for food transportation at time of loading
- Must be designed to provide adequate temperature control
- Must be stored in a manner that prevents it from harboring pests (birds, rodents, flies, larvae) or becoming contaminated in any other manner that could result in food becoming unsafe



# Requirements for shippers (§ 1.908b)

- Develop and implement written procedures adequate to ensure vehicles and equipment are in appropriate sanitary condition for safe food transportation.
- Must specify to the carrier (and loader, if necessary), **in writing**, all necessary sanitary specifications for the vehicle and equipment
- One time notification sufficient unless design or cleaning requirements change based on type of food.
- Specify the operating temperature, including pre-cooling if necessary



# Requirement for Loaders (§ 1.908d)

- Before loading:
  - determine that the vehicle or equipment is in adequate physical condition;
  - free of visible evidence of pest infestation, and;
  - previous cargo that could cause food to become unsafe
- Determine that the refrigerated cold storage department is properly pre-cooled, if necessary
- Notify shipper/carrier immediately if something goes wrong
  - Failure of temperature control
  - Contamination from outside source or other cargo
  - Damaged packaging



# Requirements for receivers (1.908d)

- Verify temperature at time of delivery
- Make sensory inspection: check vehicle for off-odors



# Requirements for carriers (§ 1.908e)

- If carrier is responsible, by written agreement, carrier must:
  - Ensure vehicle and transportation equipment meet shipper specifications
  - Provide to the receiver that the temperature specified by the shipper was maintained throughout transit
  - Pre-cool refrigerated compartments according to shipper specifications
  - For bulk vehicles, tell shipper what cargo was previously transported in that vehicle and describe most recent cleaning
  - Maintain written procedures for cleaning, sanitizing and inspecting vehicles



# If problem occurs:

- Food cannot be sold or distributed until a qualified inspector can make a determination that it is still safe
- Qualified inspector must be someone who has scientific knowledge to determine if the food is unsafe



# Training requirements (§ 1.910)

- When shipper contract states that carrier is responsible for sanitary conditions, carrier must provide adequate training:
  - Awareness of food safety problems
  - Sanitary transportation practices
  - Responsibilities of the carrier
    - Cleaning/sanitizing transport equipment
    - Operating/monitoring temperature control device
    - Awareness of security issues in transit
- Must retain records of training



# Training basics – drivers and loaders

- Be sure to cover all items in the written shipper/carrier agreement
- Security in transit
- Sanitation; clean trailers
- Understanding foodborne illnesses and causes
- Operating and monitoring temperature control devices
- Recordkeeping requirements for the carrier



# Record retention (§ 1.912)

- Shippers, loaders, carriers and receiver must retain all records during the period of any agreement, and for 12 months after the termination of any agreement.
- Records include:
- Shipper/carrier written contract
- Written agreements by carriers assigning tasks to others
- Specifications and operating temperatures
- Carrier's training records
- Records may be kept as original documents, microfilm, microfiche or electronic

# Waivers (§ 1.914)

- FDA will grant waivers, if the waiver will not result in the transportation of food that would be unsafe for human and sanitary health, and not be contrary to the public interest
- Additional waiver rules are found in §1.916 – 1.934.

# Food Defense

Keeping America's Food Safe



# Reasons to attack U.S. food supply

- To cause:
- Devastating public health consequences
- Threat agents can cause severe illnesses and fatalities
- Significant economic impacts
- Widespread fear
- Target specialized populations (children, icons)



# Challenges to protecting the food supply

- High production volumes in short period of time; wide distribution
- Information on the use of threat agents is available on the internet
- Scientific information and equipment is widely available
- Transportation is necessary, not always aware or protected

# Food Safety & Inspection Service (FSIS)

- Food Safety & Inspection Service (FSIS)
  - Division of the U.S. Department of Agriculture
  - Inspects poultry, meat and eggs
- Food and Drug Administration (FDA)
  - Division of the U.S. Department of Health & Human Services
  - Enforces rules on safe transportation of food



# Driver Security

- Be alert when leaving; criminal surveillance usually starts within a mile of your origin
- Do not discuss your cargo, destination or trip near people you don't know
- Do not park under bridges, overpasses
- Survey surroundings before leaving truck
- Make sure radio or cell phone is working properly
- Perform quick walkaround at every stop
- If in doubt, call 911

# Driver Security (cont.)

- Avoid being boxed in; leave room in front and at rear
- Keep truck locked at all times
- Watch for people following you
- Team driving? Leave one person in the truck
- Padlock cargo doors; use 5<sup>th</sup> wheel lock
- When in doubt, call 911

# Helpful web sites

- <http://www.fda.gov/Food/GuidanceRegulation/FSMA/ucm383763.htm> (final rule)
- <http://fsmaready.com/> (check lists for carriers and shippers)
- <https://www.fsis.usda.gov/wps/portal/fsis/home> (Food Safety Inspection Service)
- <http://www.ccs.utc.com/ccs/en/worldwide/> (Carrier)
- <http://www.thermoking.com/global/en.html> (Thermo King)

# DOT ISSUES; AN UPDATE

- Electronic logging devices – enforcement as of April 1
  - Obstructive Sleep Apnea – rulemaking to test drivers for apnea has been put on hold
  - Speed limiting rule – proposed 60, 65, 68 mph? Rulemaking has been put on hold
  - Drug and alcohol clearing house – goes in to effect in 2020
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- **JUNE 5-7; NATIONWIDE BLITZ OF ROADSIDE INSPECTIONS FOR 72 HOURS;**

# THANK YOU! QUESTIONS?

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