Participating Members:
Joel Hipp (Hobart Corp.)    Kiran RajBhandary (EZ Dump Commercial, Inc.)
Mike Kohler (NSF International)   Girvin Liggans (Food and Drug Administration)
Anthony Carotenuto (Navy and Marine Corps Public Health Center)

Absent Members:
Michael Perez (Baring Industries)

Participating observers:
Al Rose (NSF International)     Jack Fisher (EZ Dump Commercial, Inc.)

Supplemental Materials Referenced
1) Agenda
2) 2013 FDA Food Code Excerpts

Discussion
J.Hipp welcomed everyone and called the meeting to order. A.Rose read the anti-trust statement and took attendance. Five of the 6 voting members were present (83%) representing a quorum.

A.Rose read the call for membership. The Joint Committee on Food Equipment is currently looking for members in the User category. Please refer interested parties to the Joint Committee Chair or Secretariat, then turned the meeting over to J.Hipp

J.Hipp spent a moment explaining the task group process to the new members. How it’s the work of this group to develop the language before presenting to the larger Joint Committee for a formal vote. He spent a few moments discussing the process of balloting as well. Finally, suggested if they have any questions regarding the process to simply ask him or A.Rose.

J.Hipp moved to agenda which included:

1. Review and discuss comments from Joint Committee meeting
2. Review and discuss issue paper (Tab 7 from Joint Committee meeting)
3. Review and discuss Excerpts from 2013 FDA Food Code
4. Review NSF 21 proposed wording

Topic 1 – Review and discuss comments from Joint Committee meeting
J.Hipp read the comments from Joint Committee meeting summary regarding issue paper FE-2014-4, which included the OSHA comments but no further discussion during this meeting other than to comply with the standards. Asked if there were any comments or questions about these, to which there were none.
Task Group on Thermoplastic Refuse Containers
Teleconference Meeting Summary
June 3, 2014

Topic 2 – Review and discuss specifics of issue paper FE-2014-4
J.Hipp stated this new prototype is not watertight and that is what led us to this teleconference today. Asked the group to keep in mind this difference may be how the language is adjusted in the end; maybe simply change the language to accept non-water tight. Further added this was a detailed issue paper, but without specific language requests to the standards. J.Hipp asked the group if there were any questions about the issue paper to which there were none.

Topic 3 - FDA food code
J.Hipp indicated there was a summary document he referenced including highlight areas of concern. The code mainly speaks to refuse containers, including dumpsters which is not relevant to this discussion. Question for this group to consider is how will this language change comply with the food code. J.Hipp read off each of the definitions he highlighted for the group and sent out last week.

5-501.13 Receptacles.
(A) Except as specified in (B) of this section, receptacles and waste handling units for REFUSE, recyclables, and returnables and for use with materials containing FOOD residue shall be durable, cleanable, insect- and rodent-resistant, leakproof, and nonabsorbent.

J.Hipp pointed out this specifically states it must be leak proof. J.Hipp asked G.Liggans if the FDA will be able to include this as an exception. G.Liggans described this will depend on how it will be worded in the standard. Also added that in part (B) under the same section of the food code, there is a specific example including liners

(B) Plastic bags and wet strength paper bags may be used to line receptacles for storage inside the FOOD ESTABLISHMENT, or within closed outside receptacles.

Next section

5-501.15 Outside Receptacles.
(A) Receptacles and waste handling units for REFUSE, recyclables, and returnables used with materials containing FOOD residue and used outside the FOOD ESTABLISHMENT shall be designed and constructed to have tight-fitting lids, doors, or covers.

J.Hipp asked K.RajBhandary if they designed the EZ Dump for outside use, to which he answered no.

J.Hipp continued through each of the highlighted sections (see Excerpt for details) and asked if there were any questions or comments.

A.Carotenuto stated to the group that he reviewed this along with a cross reference of the tri-service food code and nothing stood out as an issue. He confirmed that the tri-service food code serves the Army, Navy
and Air Force. M.Kohler asked A.Carotenuto when he thought the new tri-service food code would be approved. A.Carotenuto confirmed it has been in writing for 2.5 years and explained the few next steps. Said he thought it would be published mid to late summer 2014.

G.Liggans stated that the main provision is 5.501.13 and clarified without a liner, this piece of equipment would indeed be in violation of this part of the code. J.Hipp thanked G.Liggans for the clarification. M.Kohler reminded the group that they had addressed a couple ideas during the Joint Committee, but it sounds like the only option is really to writing in the necessity of a liner. If the food code is hard and fast on this, we will have to follow a liner approach. A.Carotenuto added that the actual receptacle is indeed leak proof, and becomes a question when/if the user starts putting too much liquid in. From a practical perspective, he hasn’t seen a trash container without a liner for at least 20 years, to which G.Liggans rebutted he actually does see many places, especially large diners that do not use liners. A.Carotenuto asked K.RajBhandary if there is no advantage to the container without a liner; Raj confirmed yes there is no advantage.

J.Hipp moved the group to the next item, proposed language changes to the standard. J.Hipp read off each language change and his reasoning behind each.

Proposed wording:

5.1 General design and construction requirements
Thermoplastic refuse containers and their components shall be sealed and easily cleanable.

Exception: thermoplastic refuse containers for use with disposable liners shall be easily cleanable.

5.2.1 The container shall be watertight.

Exception: thermoplastic refuse containers for use with disposable liners need not be watertight.

Section 5.1
A.Carotenuto asked J.Hipp if we define the necessary use with disposable liners, are we losing the current language. J.Hipp confirmed the suggested revised language will be added, not replace the current language, and asked the group if a section should be added regarding the need for liners, to which the group responded yes. M.Kohler suggested leaving sections 5.1 and 5.2.1 as is and adding a brand new section. Something along the lines of “Refuse containers intended to be used with liners”, then there could be a section including what type of liner is recommended. J.Hipp agreed this was a good idea and added that section 5 is about design and construction requirements. He further asked M.Kohler if the language would change to “containers” and “containers with a liner” (e.g. cannot be used without a liner). J.Hipp then added that we don’t want to define the container itself, only the need for a liner.

J.Hipp asked A.Rose to call up the language and it was discussed and rewritten real-time.
5.1 General design and construction requirements
Thermoplastic refuse containers and their components shall be sealed and easily cleanable.

5.2.1 The container shall be watertight.

5.3 Container requirements for Thermoplastic refuse containers that must be used with a liner

5.3.1 Containers that must be used with a liner must be marked with permanent marking indicating “This container is designed to be used with leak proof liners only”, or equivalent statement.

5.3.2 Do not need to meet the sealing requirements in 5.1 or the watertight requirements as in 5.2.1

Current 5.3 and beyond to be re-numbered

Specifics of above changes:
M.Kohler suggested and the group agreed a new section to be added should be 5.3 and sections currently 5.3 and later will be increased in number.

G.Liggans asked if the group should state “must be used with a liner” earlier in the paragraph. To which the group discussed and agreed to make the title of section 5.3.

The group agreed the current cover and handle requirements should remain the same.

J.Hipp asked G.Liggans since liners are not currently defined in the food code, do they need to be defined here, to which G.Liggans agreed they did not.

M.Kohler asked the group if the language should include something that shows concern toward the exposure of the liner, adding this would be an issue if somebody designed a container with large holes and increased potential to poking holes in the liner. G.Liggans confirmed this was a good point adding right now a person can technically use only a bag, indoors, and walk around collecting garbage. Few minutes of further discussion surrounding the impact of the design of the container that exposes the liner in a minimal fashion. At the end of this discussion, J.Hipp asked A.Rose to take a straw vote specifically asking “Should we as a task group address containers that could have large openings”. The vote ended as follows

G.Liggans – neutral; go either way
A.Carotenuto – no
M.Kohler – yes; wouldn’t hurt discussing
K.RajBhandary – no
J.Hipp - no

J.Hipp asked A.Rose to include this in the approval vote to the Joint Committee when/if this gets there to confirm to the Joint Committee the fact that this Task Group had this discussion. A.Carotenuto agreed and added if something comes up if the future, we can address it then. J.Hipp stated if a company comes in a few
years from now asking for an interpretation we will have all this in writing, very specifically stating that the intention of this group is that large openings in the container are not to be approved.

A.Carotenuto asked the group how would this container affect section 6.2.2.1, in particular the tensile strength regarding the container itself. J.Hipp addressed this specifically to K.RajBhandary and J.Fisher: “were you able to go through the rest of the standard and see other places where the new container would or would not fit”, to which K.RajBhandary confirmed they did not see any other place in the standard that would be an obstacle for meeting the standard.

M.Kohler added he was more concerned of the performance testing regarding filling the container with sand, freezing and then lifting and dropping (M.Kohler discussed the performance test in great detail). K.RajBhandary confirmed he believes the can will be able to meet that requirement.

J.Hipp asked if there was any further discussion of this topic to which the group agreed there was not

**Topic 4 – Remainder of the standard**

J.Hipp reminded the group that since this work opened up the standard discussion, they are to also discuss the remainder of the standard and whether or not there was time and energy to do so today, to which the group agreed there was.

J.Hipp posed the question of whether the ASTM 570 reference was still valid. None of the members were certain and J.Hipp agreed to confirm it was still valid and accurate.

M.Kohler agreed to do the same for the UV performance testing

J.Hipp asked if there were any other issues worth updating or confirming, to which the group had none.

J.Hipp thanked the group and adjourned the meeting.

**Action Items**

1) J.Hipp and A.Rose to re-work the language for a straw ballot to this group
2) J.Hipp to check if ASTM 570 reference is still valid and up to date
3) M.Kohler to evaluate the UV performance testing