TO: Joint Committee on Food Equipment
FROM: Michael Perez, Chair of the Joint Committee
DATE: April 8, 2020

SUBJECT: Proposed revision to NSF/ANSI 170 – Glossary of Food Equipment Terminology (170i28r4)

Revision 4 of NSF/ANSI 170, issue 28 is being forwarded to the Joint Committee for consideration. Please review the proposal and submit your ballot by April 29, 2020 via the NSF Online Workspace <www.standards.nsf.org>.

When adding comments, please identify the section number/name for your comment and add all comments under one comment number where possible. If you need additional space, please upload a word or .pdf version of your comments online via the browse function.

Purpose

The purpose of this ballot is to affirm new and revised language for the harmonization of language between the FDA Food Code and NSF Food Equipment Standards.

Background

Issue paper FE-2019-09 recommended the Joint Committee of Food Equipment (JCFE) consider changing the term Potentially Hazardous Foods currently used in NSF Food Equipment Standards to the term Time/Temperature Control for Safety Food used in the FDA Food Code. Making this change would require adding a definition to NSF/ANSI 170 Glossary of Food Equipment Terminology.

The issue paper was initially presented to the JCFE during its annual meeting in August 2019. The committee discussed the topic in some detail and motioned the language be sent to the JCFE as a straw poll for review and comment. Revision 1 straw ballot received a 27 : 1 : 1 (Yes : No : Abstain) vote and several comments for suggested improvement.

The Task Group met on December 10, 2019 to discuss the comments, revise the language and unanimously motioned the updated language be sent to this TG as revision 2 straw ballot. This ballot resulted in a 7 : 4 : 0 (Yes : No : Abstain) vote, with further comments to increase clarity and harmonization with the FDA Food Code. This updated language was then presented to the TG as revision 3 and although received a unanimous affirmative vote (11 : 0 : 0), the issue proponent correctly pointed out that the NOTE inaccurately stated: “but are limited to”. The FDA Food Code does not include a qualifying preface and simply lists examples.

This revision 4 straw ballot was presented to the TG which resulted in a unanimous affirmative vote (11 : 0 : 0) and is now presented here for your consideration.
If you have any questions about the technical content of the ballot, you may contact me in care of:

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Chair, Joint Committee on Food Equipment  
c/o Al Rose  
Joint Committee Secretariat  
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3.155 **potentially hazardous food**: 3.XXX time/temperature control for safety (TCS) food (formerly known as “potentially hazardous food”)

(1) A food that is natural or synthetic and requires temperature control because it is in a form capable of supporting the following: rapid and progressive growth of infectious or toxigenic microorganisms; growth and toxin production of *Clostridium botulinum*; or, in raw shell eggs, the growth of *Salmonella enteritidis*;

(1) A food that requires time/temperature control for safety to limit pathogenic microorganism growth or toxin formation;

(2) **Potentially hazardous food** Time/temperature control for safety food includes:

— animal food (a food of animal origin) that is raw or heat-treated;
— food of plant origin that is heat-treated or consists of raw seed sprouts;
— cut melons;
— cut leafy greens;
— cut tomatoes or mixtures of cut tomatoes that are not modified in a way so that they are unable to support pathogenic microorganism growth or toxin formation; and
— garlic and oil garlic-in-oil mixtures that are not acidified or otherwise modified at a food processing plant in a way that results in mixtures that do not support growth as specified above pathogenic microorganism growth or toxin formation.

(3) **Potentially hazardous food** Time/temperature control for safety food does not include:

— an air-cooled hard-boiled egg with shell intact, or a shell egg that is not hard-boiled but has been treated to destroy all viable salmonellae; or
— a food having a water activity (a<sub>w</sub>) value of 0.85 or less than 0.88; or
— a food with a pH of 4.6 or less than 4.2; or
— a food, in an unopened hermetically sealed container, that is commercially processed to achieve and maintain commercial sterility under conditions of nonrefrigerated storage and distribution; or
— a food for which laboratory evidence demonstrates that rapid and progressive growth of infectious or toxigenic microorganisms or the growth of *S. enteritidis* in eggs or *C. botulinum* cannot occur, as defined previously in this section, and that may contain a preservative, other barrier to the growth of microorganisms, or a combination of barriers that inhibit the growth of microorganisms; or
— a food that does not support the growth of microorganisms as specified under part (1) of this definition even though the food may contain an infectious or toxigenic microorganism or chemical or physical contaminant at a sufficient level to cause illness.

**NOTE** – cut leafy greens means fresh leafy greens whose leaves have been cut, shredded, sliced, chopped, or torn. Examples include: iceberg lettuce, romaine lettuce, leaf lettuce, butter lettuce, baby leaf lettuce (i.e., immature lettuce or leafy greens), escarole, endive, spring mix, spinach, cabbage, kale, arugula and chard. Does not include: Herbs such as cilantro or parsley or whole heads of lettuce or other raw agricultural commodities. ‘Cut’ does not include removing and discarding exterior leaves, which is a common practice for display in retail food establishments.

**Rationale**: Proposed language is based on definition for “cut leafy greens” within the U.S. FDA Food Code and Fact Sheet from Oregon Department of Agriculture.¹

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