Smith, Kevin - Food and Drug Administration

**Vote** – Negative

**Comment, Proposal, and Response**

The use of term potentially hazardous foods has been phased out of the past several versions of the FDA Food Code and most state codes have been updated to use the term foods that require temperature control for safety or "Time/temperature control for safety food (TCS food)". If standard 4 is to be updated as it relates to the use of labels that must appear on equipment that is for non-TCS foods, I believe the updated terminology should also be incorporated so as not to cause confusion among equipment users and regulators.

Also since the concept of testing is a separate point from the visibility of the label on the product, the exemption from testing should be made clear by stating in a separate sentence.

I suggest the language in this section be updated to read:

Food warming equipment intended solely for the display of foods that do not require temperature control for safety shall have a permanently attached label that states: Not for the storage or display of foods that require temperature control for safety.

The label shall be clearly visible to the user after installation of the equipment. The testing in Sections 6.1, 6.2, and/or 6.7 does not apply to food warming equipment intended solely for the display of foods that do not require temperature control for safety.

Parkinson, Norman - King's College London Faculty of Medicine and Life Sciences

**Vote** – Affirmative

This assumes that the user fully understands what is meant by 'potentially hazardous foods''

This may not be a safe assumption

My comment should be considered before the next revision of the standard.