MEMORANDUM

TO: Council of Public Health Consultants Technical Committee
   Bob Powitz, Steve Tackitt, J. Douglas Park

FROM: Mike Halko, Chairperson

DATE: February 7, 2008

SUBJECT: Proposed revisions to NSF/ANSI 2 – Food equipment (2i4r10)

Enclosed is the adjudication ballot for Draft 10 of NSF/ANSI 2, issue 4. Please review the proposal and return your ballot by the ballot due date of February 21, 2008 via the NSF Online Workspace.

Please note: This is an adjudication ballot. A negative ballot was cast in the original ballot that the Task Group on Food Shields was unsuccessful at resolving. Therefore, if you find this negative vote and comment persuasive, this is your opportunity to change your vote in the original ballot.

According to Section 8 of the NSF Standards Development and Maintenance Policies (8.1.6.4), “Each unresolved negative ballot/comment and attempt at resolution, and substantive changes to the draft standard to resolve negative ballots/comments shall be submitted to the JC for review to afford them the opportunity to reaffirm or change their votes. At the completion of the JC review, if the requirements of 8.1.5 are obtained, all negative ballots/comments shall be considered adjudicated.” Please refer to the policies if you have any procedural questions.

If you do not find this negative vote and comment persuasive, there is no need to vote on this adjudication ballot. If you do not cast a vote, your original vote will carry over.

Background
Even though basic requirements for food shields are presently included in NSF/ANSI 2 – Food equipment, the task group has been working to draft requirements for other types of food shields not presently covered by the Standard. These include:

- Food shields for elementary schools; and
- Multiple tier food shields,
- Cooking and carving station food shields, and
- Cafeteria counter food shields.

Based on comments received during the previous ballot for this section, the task group has revised the draft and resubmits it to the Joint Committee on Food Equipment for ballot.
**Joint Committee Ballot Results:**

- Total Joint Committee ballots sent: 31
- Total returned: 20
- % Joint Committee ballots returned: 65%
- Affirmative votes: 19
- Negative votes: 1
- Abstentions: 0
- % affirmative of total ballots sent: 95%
- % affirmative of total affirmative + negative ballots: 100%

**Issue**

Mr. Gary Maxon cast a negative ballot on 2i4r10 and cited three reasons as rationale:

1. “I am voting ‘No’ for the same reason as originally submitted on 2/20/07, which in my opinion, is lack of user feedback and users being included on this task group.”

2. “In addition to this reason, I don’t believe the end shield requirement in 5.35.6 is realistic, with the many adjustments in height and breath guards (as emailed to Michael P on 10/30/07).”

3. “Last of all, I believe the reduction in vertical distance from 14’ to 13’, and increase from 7’ to 9.75’, as required in 5.35.7.1 and 5.35.7.2, are going to restrict the user’s access and flexibility in manufacturing.”

Reason one was adjudicated by ballot of the Joint Committee on Food Equipment in April 2007 and is not included in this adjudication ballot.

After reviewing Mr. Maxon’s negative ballot, the task group, by a vote of 8-1 did not support either objection and recommends adjudication.

As background, the task group in writing the criteria proposed in draft 10, developed science-based criteria from which the requirements in the standard were derived. A copy of the *Food Shield Requirements Criteria* is included for information with this ballot. The task group has recommended that this document be included in Standard 2 when published with the revised food shield requirements.
**Public Health Impact**

Section 5.35 of NSF/ANSI 2 – *Food Equipment* establishes minimum food protection and sanitation requirements for the materials, design, construction, and performance of food shields. This standard contains the general requirements for all non-powered commercial food equipment as well as the boilerplate language for numerous other NSF Standards. The revision and improvement of section 5.35 will impact all types of commercial food equipment equipped with a food shield. If adopted, some types of food shields may require re-evaluation and re-certification to the new requirements.

If you have any questions about the technical content of the ballot, you may contact me in care of:

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