

# THE GLEN KILPATRICK MEMORIAL ADDRESS

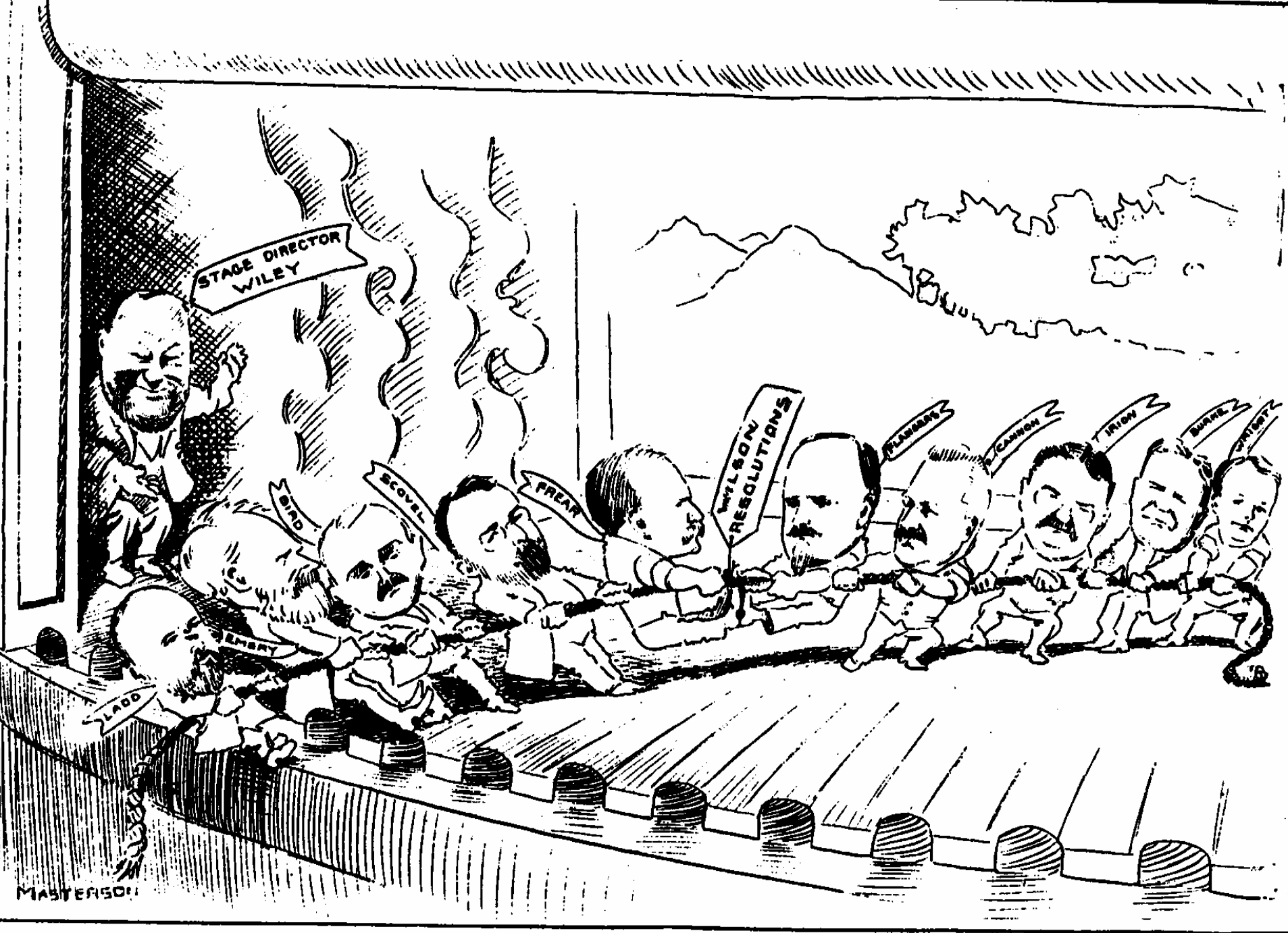
Pre-Publication Version

## AFDO PARTNERSHIPS PAST, PRESENT and FUTURE

Pre-Publication Version

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Past President  
6/18/2006

# BEGINNING AT THE BEGINNING



THE MASTER OF CEREMONIES STAGING THE GREAT TUG OF WAR ACT.

# FIRST HALF 20<sup>th</sup> CENTURY

**“There are important archives that are central to the history of food and drug regulation, however, and AFDO stands at the very center of them. For a full century, AFDO has been the forum where every significant issue of food and drug law has been considered.”**

P.B. Hutt, September, 1996 The Transformation of United States Food and Drug Law

A Pocket Guide to Can Defects  
Apple Cider Processing Operations Requirements & Guidelines  
Cured, Salted, & Smoked Fish Establishments GMPs Including  
Listeria Control Manual  
Food Code: Pocket Guide for Regulators  
Food Emergency Pocket Guide  
Garage Door Opener Safety Act  
Guidelines for Exempt Slaughter and Processing Operations  
TRAINING MANUAL  
Guidelines for the Transportation of Food Products  
Guidelines: Inspection & Enforcement of GMP Regulations for  
Packaged Ice  
Guidelines for Bed & Breakfast Establishments  
Labeling Recommendations for Refrigerated Foods  
Meat and Poultry Processing at Retail  
TRAINING MANUAL  
Model Consumer Commodity Salvage Code  
Model Veterinary Drug Code  
Model Water Vending Machine Regulation  
Retail Meat and Poultry Processing Guidelines (July, 2002)  
Retail Guidelines: Refrigerated Foods in Reduced Oxygen  
Packages  
Uniform Bicycle Safety Helmet  
Uniform State Residential Swimming Pool Barrier Bill

SECOND HALF OF  
THE  
20<sup>TH</sup> CENTURY

# SECOND HALF OF THE 20<sup>TH</sup> CENTURY

(cont.)



# SEAFOOD HACCP ALLIANCE

11/2005

- Total Trained: 20,847
- Trainers Trained: 967
  
- Total Foreign 2,508
  - Trainers 131

# NATIONAL FOOD SAFETY SYSTEM

# National Food Safety System (NFSS)

- **eLEXNET**
- **ISO Accreditation**
- **Directory of Laboratory Capabilities**
- **AFDO Recall Workgroup**
- **Validation of Laboratory Methods**
- **Foodborne Illness Outbreak Coordination Guidelines**
- **ORA-U**
- **Uniform Criteria Workgroup**
- **Integrated Food Safety Partnership**

# RECENT AFDO PARTNERSHIPS

- Seafood HACCP Alliance
- NLEA Training
- Alliance for Retail Processing  
Advisories and Training
- Food Code Workgroup
- Smoked Seafood Guidelines
- Retail Guidelines for Refrigerated  
foods in Reduced Oxygen Packaging

# RECENT AFDO PARTNERSHIPS

- Alliance for Retail Processing Advisories and Training
- Recall Workshop and Uniform Manual
- States Helping States
- Listeria Workshop
- National Food Safety Survey with NASDA
- Retail Meat & Poultry Processing and Training
- Custom Exempt Slaughter Guidelines

# BEGINNING THE 21<sup>ST</sup> CENTURY

# September 11, 2001



# FOOD SECURITY & DEFENSE

- States Helping States Emergency Response Personnel List
- Food Defense Workshop
- NASDA Model Food Emergency Response Plan for States
- Food Shield
  - LabDIR
  - Food&AgDIR



# PARTNERSHIPS FOR THE FUTURE



# CONGRESSIONAL BUDGET OFFICE

...The scope of the state and local regulations...affected... is ambiguous...

# A CHALLENGE THAT CONFRONTS FOOD SAFETY

**NATIONAL UNIFORMITY FOR FOODS  
(NUFA)**

# NLEA vs. NUFA

- Food Labeling
- Food adulteration, rule making, emergency permit for processing, food additives, food contaminants, color additives, irradiation, container composition, animal drugs, Guidance documents (Food Code, GAPs, PMO, NSSP, Manuals, Laboratory methods, etc.), Warning Labels

# NLEA vs. NUFA

- Preemption Limited
- Preserved State Enforcement Role
- HHS Study by NAS re: implementation at State & Federal
- Preemption: Field, Broad, Vague
- Seeks to limit State/Local to Sanitary Inspection (SSOPs)
- No Study

# NLEA vs. NUFA

- State enforcement in federal court
- Hearing: 19 participants testified, 7 more provided information
- No Provision
- No Hearing

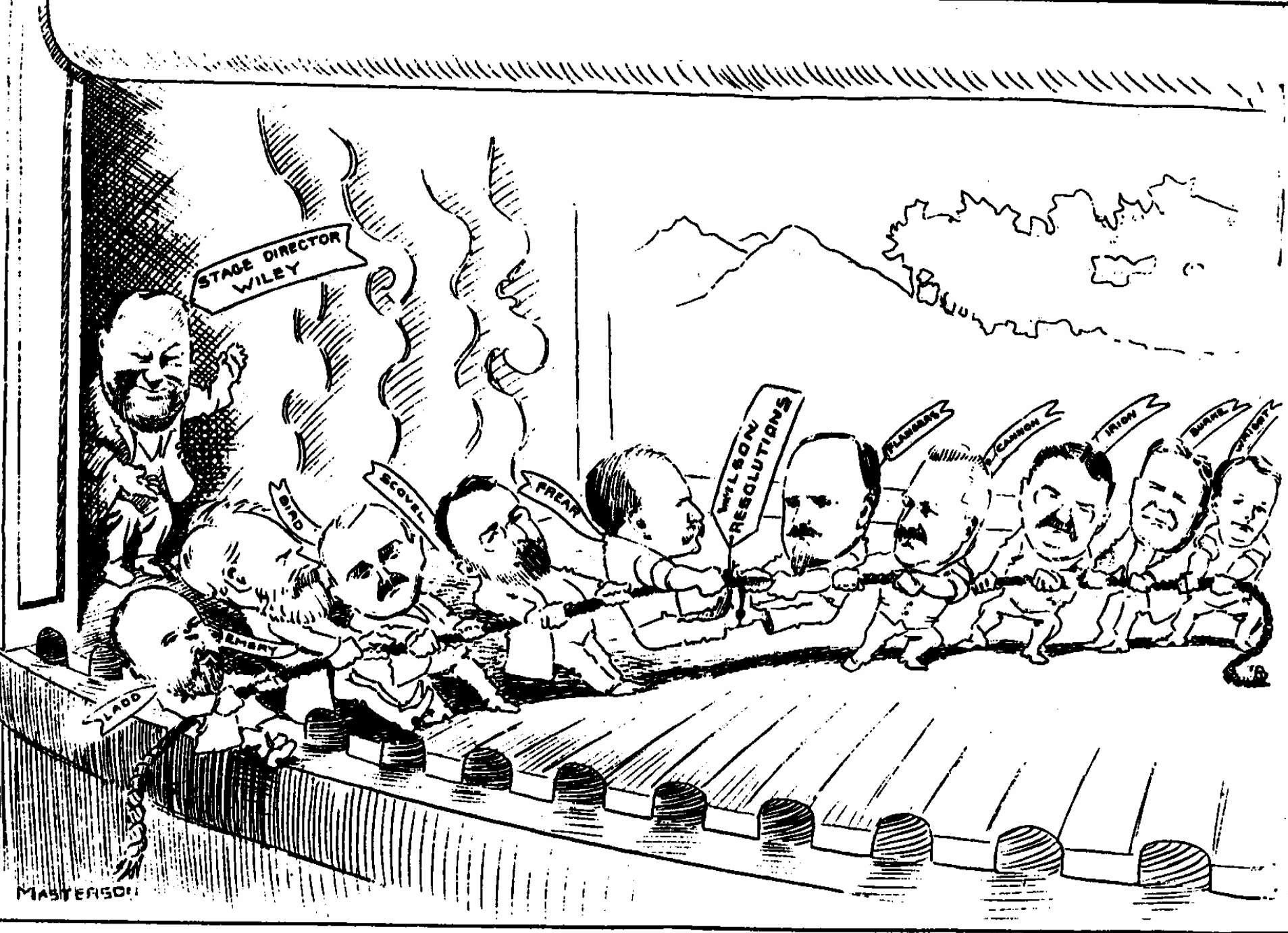
# NUFA ASSUMPTIONS

- Food sanitation is sufficient to ensure food safety and security and a health advisory statement is a sanitation requirement.
- State Legislatures will provide state tax dollars at the same level to fund an unfunded federally mandated program.
- It is legally acceptable for federal guidance documents to become mandatory state regulations circumventing notice and comment requirements of the state.



# NUFA ASSUMPTIONS

- Local judges have time and expertise to tease out the status of state/local enforcement authorities given broad federal preemption language.
- States agencies have the authority and resources to petition on behalf of preempted local restaurant/retail inspection programs that are based on non-identical municipal codes.



THE MASTER OF CEREMONIES STAGING THE GREAT TUG OF WAR ACT.



*Association of Food & Drug Officials*

The logo features a central globe with a grid of latitude and longitude lines. A blue silhouette of the continents of North and South America is overlaid on the globe. A black orbital ring encircles the globe, with a thin blue line also tracing a path around it. The text "Association of Food & Drug Officials" is written in a black, italicized serif font, arching over the top of the globe.

**AFDO**

*Founded 1896*