

The Reportable Food Registry

FDA launched the Reportable Food Registry (RFR) in September 2009 as an early warning system with the goal of removing contaminated product from commerce before any illness occurs. The RFR requires that a company submit a report within 24 hours when there is a transfer of an FDA regulated food product outside the company **AND** there is reasonable probability that the use of, or exposure to, an article of food will cause serious adverse health consequences or death to humans or animals (i.e. lead to a Class I recall situation) Use the chart below to help you to figure out if you need to submit a report.

What are the current requirements for submitting a report?

If a reportable food is discovered, the responsible party (registered facility) is required to submit a report unless the following criteria are met:

1. The adulteration originated with the responsible party; **AND**
2. The responsible party detected the adulteration prior to any transfer to another person of such article of food; **AND**

Examples of Reportable Incidents

- Peanut butter contaminated with *Salmonella*
- Ice cream that did not declare peanut-derived ingredients, but contained peanut butter as an ingredient
- Baby food that poses a choking hazard

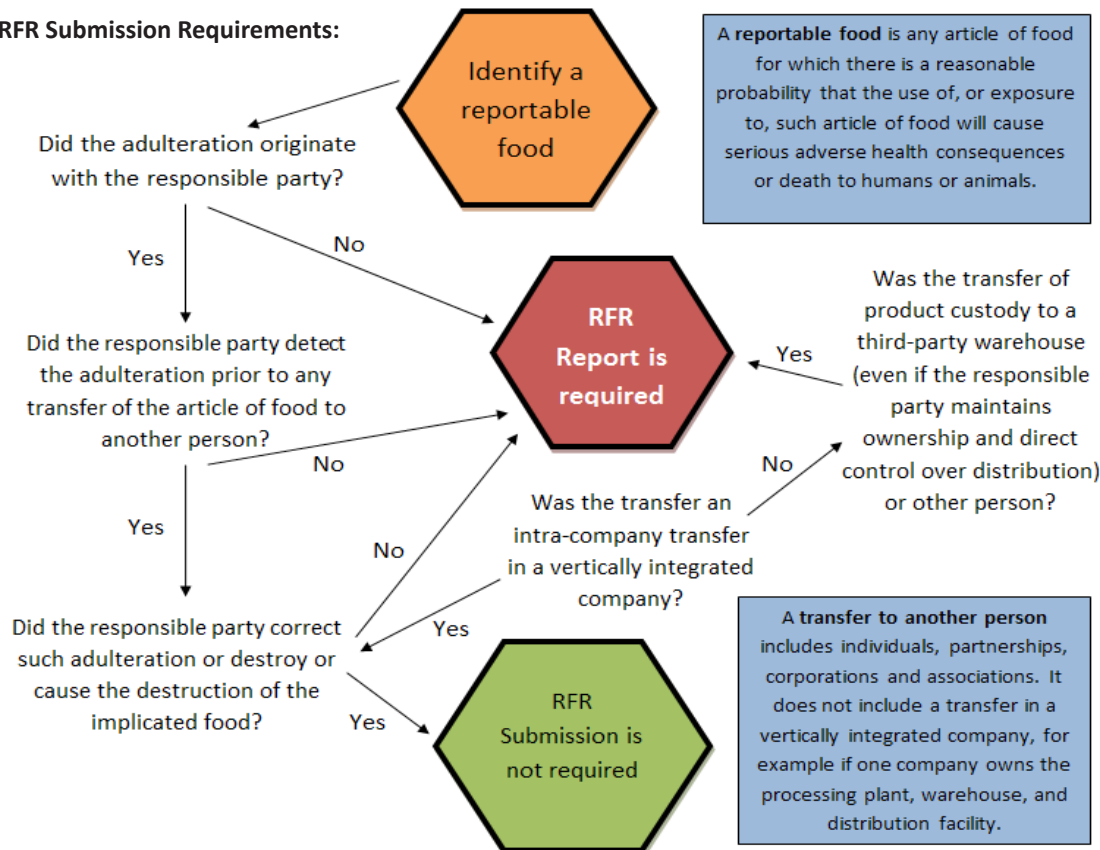
3. The responsible party corrected such adulteration or destroyed or caused the destruction of such an article of food.

What does transfer outside the company mean?

There is often confusion over the term “transfer”. The [current version of the RFR guidance](#), considers a transfer any change in custody of the product, regardless if ownership changed or not.

For example, if Company X determined a problem with a product that had been transferred to a third party warehouse, Company X would be required to submit a report, even if all product was still owned by Company X and still in control of company X. Conversely, if Company Z discovered a problem with a product that was being held in a warehouse owned by Company X, they would not be required to submit a report, if they fulfilled the other two criteria noted above.

RFR Submission Requirements:



What does the Food Safety Modernization Act (FSMA) change?

FSMA requires some changes to the RFR to allow for consumer level notification- the largest impact of which will be on grocery stores. Under the new law, within 18 months of enactment (July 2012), the responsible party (registered facility) will need to submit consumer oriented information for the product (with the exception of raw agricultural commodities), including a description of the following:

- The article of food,
- Product identification codes (i.e. UPC, SKU, lot, or bath numbers)
- Contact information for the responsible party
- And any other information FDA determines necessary for a consumer to identify a product.

The description of the product and the product information typically found on the packaging, including product codes and use-by-

dates are already required to be included in a submission. Contact information for the responsible party is not currently required on the initial report (it is required on amended reports) and this will likely be added as a new field to the reporting portal. In addition, FSMA requires FDA to publish a one page summary of the information submitted to the RFR in a format that can easily be printed by grocery stores for consumer notification. Grocery stores that are part of a chain of establishments with 15 or more physical locations will be required to print and post the notifications within 24 hours of FDA publishing to their website. Within the next year, FDA will publish a list of conspicuous locations for posting consumer notifications. At this point, FDA has not defined what constitutes a grocery store for purposes of posting RFR notifications.

The RFR is a relatively new tool for FDA and it is likely that further modifications will be made and new guidance will emerge as they learn from the first few years of implementation .



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