



Food and Drug Administration
Rockville MD 20857

2546 00 AUG 16 P2:34

AUG 15 2000

Mr. Ken Krall
Kenkut Products Inc.
P.O. Box 704
San Anselmo, CA 94979

Re: Docket No. 98P-1018

Dear Mr. Krall:

This letter responds to your citizen petition dated November 1, 1998, requesting an advisory about the use of cardboard cutter boxes for dispensing plastic wrap and foil products in food establishments.

We agree that exposed food and food-contact surfaces should not be subjected to sources of potential contamination. Numerous articles essential to preparing food are potentially a source of contamination. The information that you supplied reaffirms the evidence that pathogenic bacteria can exist on cardboard surfaces. At the same time, this phenomenon applies not just to cardboard cutter dispenser boxes, but to any item in the kitchen environment.

Under the Food Code, the type of dispenser box you described in your petition is considered a nonfood-contact item and is not included under the Food Code definition for "equipment" or "utensil". Consequently, it is not covered by the Food Code sections that you cite: 4-101.11, 4-101.111, 4-201.11, 4-202.11, or 4-202.16.

We believe that the Food Code addresses issues of cross-contamination from objects like cardboard boxes as an operational issue. The Food Code focuses on the responsibility of the person in charge of a food establishment to prevent cross contamination by exerting active managerial control of the operation. That control includes adequately training and supervising staff to provide an environment that supports the delivery of safe food to consumers. Advice for preventing the potential contamination issues that you have identified is found in the provisions of the Food Code that specifically address employee practices and protecting exposed food and food-contact surfaces.

Therefore, for the reasons cited above, we are denying your petition.

Sincerely,

Dennis E. Baker
Associate Commissioner
for Regulatory Affairs

98P-1018

PDN,