

# FDA Food Code Adoption Up-date

December 2018

## Background

In 2018 legislation was passed that revised Section 19a-36h of the Connecticut General Statutes to read:

*(a) Not later than January 1, 2019, the commissioner shall adopt and administer by reference the United States Food and Drug Administration's Food Code, as amended from time to time, and any Food Code Supplement published by said administration as the state's food code for the purpose of regulating food establishments.*

*(b) The commissioner may adopt regulations, in accordance with the provisions of chapter 54, to implement the provisions of this section and sections 19a-36i to 19a-36m, inclusive.*

To this end, regulations to implement the FDA Food Code have been submitted and are currently in the formal regulation review process. The regulations are necessary to implement the FDA Food Code and provide enforcement mechanisms to local health officials.

## Current Status

Because the regulations to implement the FDA Food Code are still in the regulation review process, it is not possible that they will be approved by January 1, 2019. **Therefore, on January 1, 2019, the current food regulations: 19-13-B42; 19-13-B40; 19-13-B48; and 19-13-B49 will still be in effect and enforceable by local certified food inspectors.** The FDA Food Code **will not** automatically become effective on January 1, 2019. It is not possible to predict the date the draft regulations to implement the FDA Food Code will become approved due to the various steps and required approvals that are part of the regulatory review process.

## Summary

The 2017 FDA Food Code will not automatically become effective on January 1, 2019. It will become effective when the regulations to implement it are approved. Until that time, certified food inspectors will continue to enforce the current Connecticut food regulations using the existing food establishment inspection report forms.