

FDA Issues New Guidance Documents to Help Retailers and Wholesalers Protect America's Food Supply

Yesterday, the Department of Homeland Security in consultation with the Homeland Security Council, raised the national threat level from an "Elevated" to "High" risk of terrorist attack or "Level Orange." At the same time, the federal government launched Operation Liberty Shield, a comprehensive national plan designed to increase protections for America's citizens and infrastructure while maintaining the free flow of goods and people across our border with minimal disruption to our economy and way of life.

As part of its efforts under Operation Liberty Shield, the Food and Drug Administration, in a conference call with N.G.A. and other food industry associations, announced the release of a series of guidance documents addressing food and cosmetic security preventive measures. The FDA noted that these are guidance documents only, with no binding requirements, intended to take the operators of food and cosmetic establishments through each segment of the system within their control, in order to minimize the risk that the foods or cosmetics under their control are subject to tampering, or other malicious criminal or terrorist actions. FDA emphasized that implementation of these measures requires commitment from both management and employees to be successful and, therefore, both should participate in their development and review. The guidance documents reflect FDA's current thinking on appropriate and flexible food and cosmetic security preventive measures that may be taken by the FDA-regulated industry.

The FDA released four documents on Wednesday. All four can be downloaded from the website of the FDA's Center for Food Safety and Applied Nutrition at <http://www.cfsan.fda.gov> under "Food Safety and Terrorism." Two of the documents are revised, final guidance documents:

- Food Producers, Processors, and Transporters: Food Security Preventive Measures Guidance
- Importers and Filers: Food Security Preventive Measures Guidance

The other two are draft guidance documents:

- Retail Food Stores and Food Service Establishments: Food Security Preventive Measures Guidance
- Cosmetics Processors and Transporters: Cosmetics Security Preventive Measures Guidance

In addition to the new industry guidance documents on security measures, the FDA announced it has initiated the following new activities:

- Increased surveillance of the domestic food industry -- FDA has increased facility inspections and product sampling.
- Increased monitoring of imported foods -- FDA has increased examinations and sampling of imported foods.
- Enhanced collaboration with other government agencies -- FDA has increased its joint activities with Federal, state, and local partners to help ensure a safe and secure food supply, including work with CDC to ensure that outbreaks of illness or unusual patterns of illness or injury are quickly investigated.

FEMA & Red Cross Ask Grocers to Help Citizens 'Be Prepared'

The Federal Emergency Management Administration (FEMA) and the Red Cross have been advising consumers to maintain supplies of food, water, canned foods, first-aid kits, etc. N.G.A., in partnership with the USA Freedom Corps, is urging retailers to help consumers "Be Prepared" by helping consumers buy key products by putting them in visible locations within stores. To view the list of

recommended products in “Be Prepared” kits, or to offer this information to consumers, you may go FEMA’s website at www.fema.gov/pdf/areyouready/supplies.pdf, or to the American Red Cross at www.redcross.org/services/disaster/beprepared/supplies.html.

In addition, companies are encouraged to review and monitor computer systems by increasing user awareness, updating anti-virus software, stopping suspicious e-mail attachments (watch for patriotic or otherwise catchy titles), and utilizing filters to maximize security. For computer security checklists, refer to www.cert.org/security-improvement.

In the event of suspicious activities, you are encouraged to report the information to your local FBI/Joint Terrorism Task Force office: <http://www.fbi.gov/contact/fo/fo.htm>, NIPC, or other appropriate authorities. The NIPC Watch and Warning Unit can be reached at (202) 323-3205, toll free at (888) 585-9078, or by email to: nipc.watch@fbi.gov.

If you have questions or need additional information, contact Tom Wenning at publicaffairs@nationalgrocers.org.

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