At a recent Better Process Control School, David Arvelo, US FDA small business representative for the South-west region, explained the difference between laws and regulations and the various methods of informing the public of upcoming and new regulations.

**Laws** are acts of congress such as the *Fair Packaging and Labeling Act.*

**Regulations** implement the provisions of the law based on the authority provided in the Act. Public notice is given in the *Federal Register* as proposals and in the *Code of Federal Regulations* as final regulations. **Guidance documents** are policy statements that interpret the regulations and are not legally binding by the public or the agency. However, guidance documents help to clarify the language used in the regulations.

US Food and Drug Administration Center for Food Safety and Applied Nutrition has recently issued several guidance documents for the food industry. Two of these documents have been issued to assist food processors and managers of retail food establishments to review the security risks of the food products that they handle. Another guidance document was issued to help small processors to comply with the latest Juice HACCP regulations.

Each guidance document on food security preventative measures focuses on management, human element-staff and human element-public. Under each of these sections are subtitles followed by a bullet-point list to help analyze each situation. For example, under “human element-staff” is the subtitle of screening, which describes using background checks to include criminal records and citizenship of all applicants. Many businesses have some kind of screening process but this document describes having policies in place so that procedures are followed consistently.

The guidance document on Juice HACCP for small processors is in a question and answer format. The new regulation became effective for small processors January 21, 2003. For very small processors, the regulation becomes effective on January 20, 2004. This regulation applies to all juice processors including vegetable purée and even those products sold within the state lines. Retail processors such as “juice bars” and those making direct sales to consumers are not covered by these regulations.

(Continued on page 2)
Marketing Your Specialty Food Product

How do you get the fickle American consumer to notice your specialty food product? One way is a promotional display. Even a well-known branded product needs help.

Andronico, an 11 store chain serving the San Francisco bay area found that Krispy Kreme donuts sales increased from 12 dozen donuts a day to 70 dozen by using a self-standing showcase.

Promotional displays increase access, can be used to promote a local product as “New Mexico Made” and reduce competition for shelf space and placement along national brands. Self-standing promotional displays do take up floor space and must be negotiated with the grocer beforehand. Although displays require an initial investment, savvy placement can increase consumer awareness and sales.

A Message from the Editor

This issue is packed with information from the FDA, DEA, and CDC! You have to read the articles to figure out the alphabet soup!

I have kept busy this spring developing programs for food business management, food labeling laws, gourmet cookie production, and another Better Process Control School slated for October 15-17, 2003 in Española, New Mexico, at the Northern New Mexico Community College.

So stay tuned for another food technology program near you!

Nancy C. Flores, Ph.D.
New Mexico State University
Extension Home Economics
P.O. Box 30003, Dept. 3AE
Las Cruces, NM 88003-8003
Ph: 505-646-1179
Fax: 505-646-1889
E-mail: naflores@nmsu.edu

FDA Useful Website

“Starting a Food Business” can be found at: www.cfsan.fda.gov/~comm/foodbiz.html or from the main web page for FDA Center for Food Safety and Applied Nutrition www.cfsan.fda.gov under “Industry Assistance.”

For direct assistance you can also contact: David Arvelo, Small Business Representative for the FDA Southwest Region at (214) 253-4952 or by email, DARVELO@ORA.FDA.GOV.

Vision for Food Safety & Applied Nutrition

FDA Useful Website

Guidance for Industry Importers and Filers: Food Security Preventive Measures Guidance
Guidance for Industry Retail Food Stores and Food Service Establishments: Food Security Preventive Measures
Guidance for Industry: Juice HACCP small entity compliance guide can be found on-line at: http://www.cfsan.fda.gov/~dms/guidance.html

FDA Useful Website...continued from page 1.

Guidance for Industry: Juice HACCP small entity compliance guide can be found on-line at: http://www.cfsan.fda.gov/~dms/guidance.html
### Meetings & Conferences—2003

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<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>May 15-16</td>
<td>Consumer Complaint Conference.</td>
<td>Santa Fe, NM</td>
<td>Call 800-355-0983 or 202-393-0890, fax 202-639-5932, or visit <a href="http://www.fpi-food.org">www.fpi-food.org</a>.</td>
</tr>
<tr>
<td>May 17-20</td>
<td>84th Annual NRA Restaurant, Hotel-Motel Show</td>
<td>Chicago, IL</td>
<td>Call 312-853-2525, fax 312-853-2548, or visit <a href="http://www.Restaurant.org/show">www.Restaurant.org/show</a>.</td>
</tr>
<tr>
<td>May 29-30</td>
<td>Acrylamide in Food: Are Children a Special Population at Risk?</td>
<td>Sheraton Crystal City, Arlington, VA</td>
<td>Call 301-571-1876, e-mail <a href="mailto:lsro@lsro.org">lsro@lsro.org</a>, or visit <a href="http://www.lsro.org">www.lsro.org</a>.</td>
</tr>
<tr>
<td>June 1-3</td>
<td>IDDBA’s Dairy-Deli-Bake 2003</td>
<td>Las Vegas</td>
<td>Call 608-238-7908 or visit <a href="http://www.iddba.org">www.iddba.org</a>.</td>
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<tr>
<td>June 30-July 3</td>
<td>5th International Food Data Conference and the 27th National Nutrient Databank Conference</td>
<td>Washington D.C.</td>
<td>Call 301-504-0630 or e-mail <a href="mailto:lmn@nrc.usda.gov">lmn@nrc.usda.gov</a>.</td>
</tr>
<tr>
<td>July 2-3</td>
<td>Great American Dessert Expo.</td>
<td>Las Vegas</td>
<td>Call 212-868-2960 or visit <a href="http://www.dessertexpo.com">www.dessertexpo.com</a>.</td>
</tr>
<tr>
<td>July 9-10</td>
<td>Ninth Annual Hawaii Lodging, Hospitality &amp; Foodservice Expo.</td>
<td>Honolulu, HI</td>
<td>Call 800-525-5275 or e-mail <a href="mailto:kanter@lava.net">kanter@lava.net</a>.</td>
</tr>
<tr>
<td>July 12-16</td>
<td>Institute of Food Technologists Annual Meeting and Food Expo.</td>
<td>McCormick Place, Chicago, IL</td>
<td>Call IFT at 312-782-8424, fax 312-782-0045, e-mail <a href="mailto:info@ift.org">info@ift.org</a>, or visit <a href="http://www.ift.org">www.ift.org</a>.</td>
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### Workshops & Short Courses—2003

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<th>Date</th>
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<tr>
<td>May 19-21</td>
<td>Extending Shelf Life for Bakery Foods.</td>
<td>Manhattan, KS</td>
<td>Call 800-242-2534 or visit <a href="http://www.aibonline.org">www.aibonline.org</a>.</td>
</tr>
<tr>
<td>May 27-30</td>
<td>Wel Milling.</td>
<td>University of Illinois, Urbana, IL</td>
<td>Call 651-944-3805, fax 651-454-0766, e-mail <a href="mailto:lnmusful@scisoc.org">lnmusful@scisoc.org</a>, or visit <a href="http://www.aacnet.org">www.aacnet.org</a>.</td>
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<tr>
<td>June 2-6</td>
<td>Cookie Ingredient Technology.</td>
<td>Manhattan, KS</td>
<td>Call 800-242-2534 or visit <a href="http://www.aibonline.org">www.aibonline.org</a>.</td>
</tr>
<tr>
<td>June 3-4</td>
<td>Food Safety/Sanitation.</td>
<td>Memphis, TN</td>
<td>Call 800-242-2534 or visit <a href="http://www.aibonline.org">www.aibonline.org</a>.</td>
</tr>
<tr>
<td>June 5-6</td>
<td>HACCP Workshop.</td>
<td>Memphis, TN</td>
<td>Call 800-242-2534 or visit <a href="http://www.aibonline.org">www.aibonline.org</a>.</td>
</tr>
<tr>
<td>June 16-19</td>
<td>Industrial Applications of Vegetable Oils.</td>
<td>Texas A&amp;M University, College Station, TX</td>
<td>Call 979-845-2741, e-mail <a href="mailto:erhernandez@tamu.edu">erhernandez@tamu.edu</a>, or visit <a href="http://www.tamu.edu/fatsandoils">www.tamu.edu/fatsandoils</a>.</td>
</tr>
<tr>
<td>July 7-11</td>
<td>Principles of Bread and Roll Production.</td>
<td>Manhattan, KS</td>
<td>Call 800-242-2534 or visit <a href="http://www.aibonline.org">www.aibonline.org</a>.</td>
</tr>
<tr>
<td>July 21-25</td>
<td>Advanced Bread and Roll Production.</td>
<td>Manhattan, KS</td>
<td>Call 800-242-2534 or visit <a href="http://www.aibonline.org">www.aibonline.org</a>.</td>
</tr>
<tr>
<td>July 28-Aug. 8</td>
<td>Resident Course in Confectionery Technology.</td>
<td>Madison, WI</td>
<td>Call 608-263-1965 or visit <a href="http://www.wisc.edu/foodsci/">www.wisc.edu/foodsci/</a>.</td>
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<td><strong>State and Regional—2003</strong></td>
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<td><strong>continued...State and Regional—2003</strong></td>
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<tr>
<td>May 7</td>
<td>Basic Business Management for Food Processors. Session 1: Starting a Food Business</td>
<td>Taos, NM: County Extension Office</td>
<td>Call 505-758-3982 for schedule.</td>
</tr>
<tr>
<td>May 8</td>
<td>Basic Business Management for Food Processors. Session 1: Starting a Food Business</td>
<td>Pojoaque, NM/Pojoaque High School</td>
<td>Call 505-471-4711 for schedule.</td>
</tr>
<tr>
<td>May 21</td>
<td>Basic Business Management for Food Processors. Session 2: Business Planning</td>
<td>Taos, NM: County Extension Office</td>
<td>Call 505-758-3982.</td>
</tr>
</tbody>
</table>

Source: [http://www.ift.org/meetings/courses](http://www.ift.org/meetings/courses)
DEA Issues Final Rules on Cannabis Products

The Drug Enforcement Administration (DEA) announced two final rules that address the legal status of products derived from the cannabis plant which are often referred to as “hemp” products. These products may contain the hallucinogenic substance tetrahydrocannabinols (THC). THC is the primary psychoactive chemical found in the cannabis (marijuana) plant.

The rules create an exemption in the law that removes all federal regulatory restrictions for legitimate industrial products made from cannabis plants. Examples of industrial products are paper, rope, and clothing (which contain fiber made from the cannabis plant) and animal feed mixtures, soaps, and shampoos (which contain sterilized cannabis seeds or oils extracted from the seeds). DEA is exempting these types of industrial cannabis products from control because they are not intended for human consumption and do not cause THC to enter the human body.

Cannabis products containing THC that are intended for human consumption in food or beverages remain prohibited under the latest ruling. This ruling is consistent with the long standing rule under federal law.


For more information, please visit www.dea.gov or contact the DEA Office of Public Affairs at 202-307-7977

Center for Disease Control and Prevention Says “Prevent Contamination” by Hand

Center for Disease Control (CDC) cites five common household scenarios in which disease-causing germs can be transmitted by contaminated hands. Therefore it is very important to emphasize proper hand washing techniques. CDC recommends vigorous scrubbing with warm, soapy water for at least 15 seconds.

Consider the following situations:

**Hands to food:** germs are transmitted from unclean hands to food, usually by an infected food handler who didn’t wash their hands after using the toilet. The germs are then passed to those who eat the food.

**Infected infant to hands to other children:** during diaper changing, germs are passed from an infant with diarrhea to the hands of a parent, if the parent doesn’t immediately wash his or her hands before handling another child, the germs that cause diarrhea are passed to the second child.

**Food to hands to food:** germs are transmitted from raw, uncooked foods, such as chicken, to hands; the germs are then transferred to other foods, such as salad.

Cooking the raw food kills the initial germs, but the salad remains contaminated.

**Nose, mouth, or eyes to hands to others:** germs that cause colds, eye infections, and other illnesses can spread to the hands by sneezing, coughing, or rubbing the eyes and then be transferred to other family members or friends.

**Food to hands to infants:** germs from uncooked foods are transferred to hands and then to infants. If a parent handling raw chicken, for example, doesn’t wash his or her hands before tending to an infant, they could transfer germs such as salmonella from the food to the infant.

Proper hand washing can prevent the transfer of germs in all five of these scenarios.

Visit website:
http://www.cdc.gov/od/oc/media/pressrel/r2k0306c.htm
### NMSU EXTENSION

**Nancy C. Flores**  
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**Martha Archuleta**  
Foods and Nutrition Specialist/Assistant Professor  
New Mexico State University  
Las Cruces, New Mexico  
(505) 646-3516

### COUNTY/CITY AGENCIES

Albuquerque Environmental Health Department  
(505) 768-2642

### STATE AGENCIES

**New Mexico Department of Agriculture**  
Las Cruces, New Mexico  
(505) 646-3007

**New Mexico Department of Health**  
Scientific Lab Division  
Pauline Gutierrez  
Albuquerque, New Mexico  
(505) 841-2500

**New Mexico Environment Department Food Specialists**  
Albuquerque, New Mexico  
(505) 841-9452

**District I**  
(505) 841-9450  
Albuquerque (counties served: San Juan, McKinley, Sandoval, Cibola, Torrance and Bernalillo)

**District II**  
Anita Roy (505) 423-6764  
Las Vegas (counties served: Santa Fe, Los Alamos, Taos, Rio Arriba, Union, San Miguel, Mora, Harding, Colfax and part of Guadalupe)

### DISTRICTS

#### District III

(505) 824-6300  
Las Cruces, (counties served: Catron, Grant, Sierra, Hidaldo Luna, Doña Ana, and Otero)

#### District IV

(505) 824-6046  
Roswell (counties served: Curry, DeBaca, Roosevelt, Chaves, Lea, Quay, Eddy and Lincoln)

#### New Mexico Livestock Board

Meat Inspection Division  
Arthur P. Marquez  
Program Manager  
Albuquerque, New Mexico  
(505) 290-6115

### FEDERAL AGENCIES

**United States Department of Agriculture (USDA)**

- **Animal and Plant Health Inspection Service**  
  Plant Protection & Quarantine  
  (505) 527-6985

- **Meat and Poultry Hotline**  
  1-800-535-4555

- **Food and Drug Administration (FDA)**
  - **Virlie Walker**  
    Food and Drug Administration (FDA), Public Affairs Specialist  
    Denver, Colorado  
    (303) 236-3018

- **Marie Falcone**  
  Small Business Office  
  Southwest Region, FDA  
  Dallas, Texas  
  (214) 655-8100

- **Barbara White**  
  Consumer Safety Officer, FDA  
  Albuquerque, New Mexico  
  (505) 248-7393

- **Seafood Hotline**  
  1-800-FDA-4010

### ASSOCIATIONS

Jean Gibson  
New Mexico Food Producers and Processors Association (NMFPAPA)  
(505) 856-5147
Defining Dietary Supplements

Adapted from U. S. Food and Drug Administration Center for Food Safety and Applied Nutrition

January 3, 2001 Overview of Dietary Supplements

The Dietary Supplement Health and Education Act (DSHEA) of 1994 defined both of the terms “dietary ingredient” and “new dietary ingredient” as components of dietary supplements. In order for an ingredient of a dietary supplement to be a “dietary ingredient,” it must be one or any combination of the following substances: vitamin, mineral, herb or other botanical, amino acid, or a concentrate, metabolite, constituent or extract. Furthermore a dietary substance for use by man to supplement the diet by increasing the total dietary intake (e.g., enzymes or tissues from organs or glands) is also considered a “dietary ingredient.” A “new dietary ingredient” is one that meets the above definition for a “dietary ingredient” and was not sold in the U.S. in a dietary supplement before October 15, 1994.

FDA regulations require that the following information appear on dietary supplement labels: a descriptive name of the product stating that it is a “supplement;” the name and place of business of the manufacturer, packer, or distributor; a complete list of ingredients; and the net contents of the product. In addition, each dietary supplement (except for some small volume products or those produced by eligible small businesses) must have nutrition labeling in the form of a “Supplement Facts” panel. The label must identify each dietary ingredient contained in the product. Ingredients not listed on the “Supplement Facts” panel must be listed in the “other ingredient” statement beneath the panel. The types of ingredients listed there could include the source of dietary ingredients, if not identified in the “Supplement Facts” panel (e.g., rose hips as the source of vitamin C), other food ingredients (e.g., water and sugar), and technical additives or processing aids such as gelatin, starch, colors, stabilizers, preservatives, and flavors.

Manufacturers may make three types of claims for their dietary supplement products: health claims, structure/function claims, and nutrient content claims. These claims may describe: the link between a food substance and disease or a health-related condition; the intended benefits of using the product; or the amount of a nutrient or dietary substance in a product. Different requirements generally apply to each type of claim, and are described in more detail at the following site: (http://www.cfsan.fda.gov/~dms/hclaims.html). The following statement or “disclaimer” is required by law when a manufacturer makes a structure/function claim on a dietary supplement label: “This statement has not been evaluated by the FDA. This product is not intended to diagnose, treat, cure, or prevent any disease.” These types of claims describe the role of a nutrient or dietary ingredient intended to affect the structure or function of the body. The manufacturer is responsible for ensuring the accuracy and truthfulness of these claims and FDA does not approve these claims. The disclaimer must also state that this product is not intended to “diagnose, treat, cure or prevent any disease,” because only a drug can legally make such a claim.

Manufacturers and distributors do not need FDA approval to sell dietary supplements. Therefore FDA does not keep a list of manufacturers, distributors or the dietary supplement products sold. By law (DSHEA), the manufacturer is responsible for ensuring that its dietary supplement products are safe before they are marketed. Unlike drug products that must be proven safe and effective for their intended use before marketing, there are no provisions in the law for FDA to “approve” dietary supplements for safety or effectiveness before they reach the consumer. Furthermore, manufacturers and distributors of dietary supplements are not currently required by law to record, investigate or forward to FDA any reports they receive of injuries or illnesses that may be related to the use of their products. Under DSHEA, once the product is marketed, FDA has the responsibility for showing that a dietary supplement is “unsafe,” before it can take action to restrict the product’s use or removal from the marketplace.

Since supplements are not considered to be drugs the FDA cannot regulate or monitor claims made by manufacturers. Consumers wanting more detailed information not available on the label must contact manufacturers or distributors directly.

Consumers can voice their concerns to FDA directly at 1-800-FDA-1088, by fax at 1-800-FDA-0178 or reporting online at: http://www.fda.gov/medwatch/report/consumer/consumer.htm.

For the most recent information on dietary supplements see: http://www.cfsan.fda.gov/~dms/
Standards and guidelines such as Good Manufacturing Practices (21CFR 110.40) and International Organization for Standardization (TC199) require that equipment and product handling materials be designed for proper sanitation and hygienic properties. Any materials that come in contact with food products during processing should be non-toxic, and should be easy to clean. Surfaces should be smooth, non-porous and drain reasonable well to remove residues from the product and cleaning chemicals. Simple considerations in design can reduce the areas that can pose favorable conditions for microbial growth.

Product coming in contact with screw threads that are not properly fastened can result in an environment favorable to microbial growth and should be avoided if possible. There are ways to design the fastener to allow for minimum contact and increased cleanability (Figure 1.)

Avoid crevices and sharp corners which would retain microscopic amounts of products even after cleaning. These areas would allow micro-organisms to grow under a protected environment. Beveled edges and internal corners will not retain any product and are easier to clean as demonstrated in Figure 2.

Lip of containers, transfer bins, and rims of mixing bowls are areas that become soiled during production and can pose a microbial hazard if not cleaned properly (Figure 3). Rims and lips shown in Figure 4 should be easy to access and thus much easier to clean.

Following these ideas for equipment design will prevent retention of product and cleaning chemicals in areas that are favorable for microbial growth. Controlling these factors will improve product quality and shelf-life.
New ideas?
Address Change/Corrections? Suggestions/Comments? Subscription?

Name: ____________________________
Address: __________________________
_________________________________

Comments/Suggestions: __________________________
_________________________________
_________________________________

[ ] Add me to your list.
[ ] Drop me from your mailing list.

If you would like to contribute articles for this newsletter or have any comments, suggestions, or address changes, please send all correspondence to:

Ideas for Food Processors
Extension Food Technology Program
Box 30003, Dept. 3AE
Las Cruces, NM 88003-88003

OR

Fax to: (505) 646-1889
E-mail: naflores@nmsu.edu