


# FDA Regulation of Food Transportation and the SFTA of 2005

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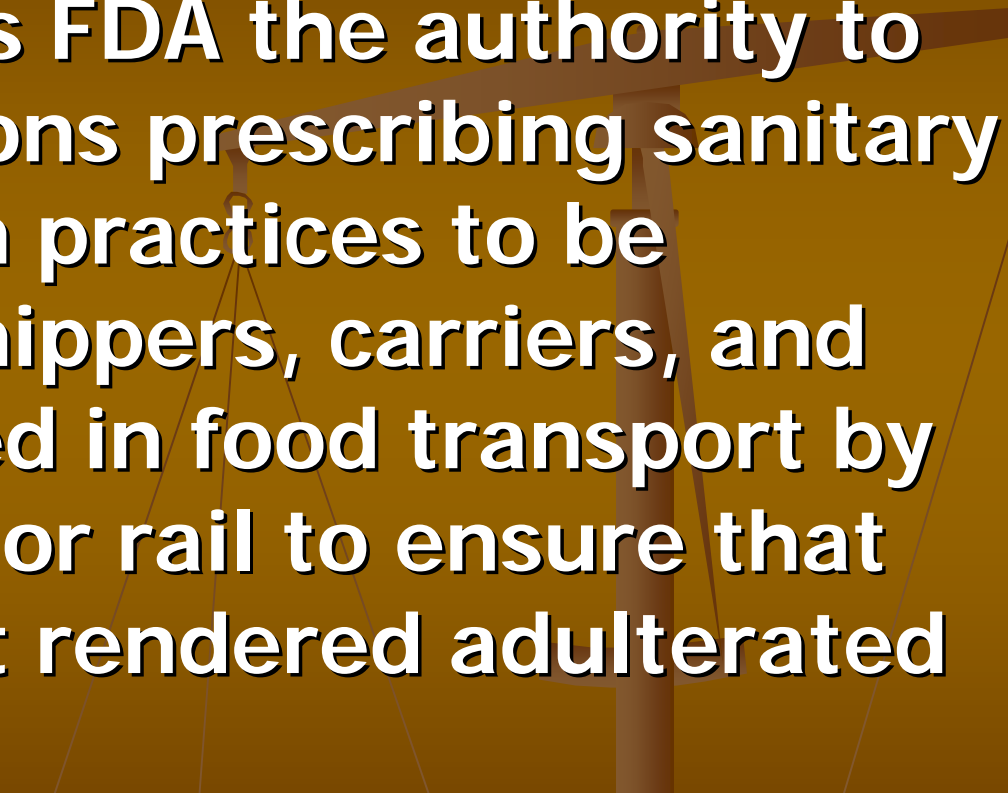


# FDA's Legal Authority to Regulate Food Transportation

- **Federal Food, Drug and Cosmetic Act**
  - **Public Health Service Act**
  - **SFTAs**
    - **1990 – Delegated to DOT**
    - **2005 – Delegated to FDA; Became an amendment to the FFDCA**
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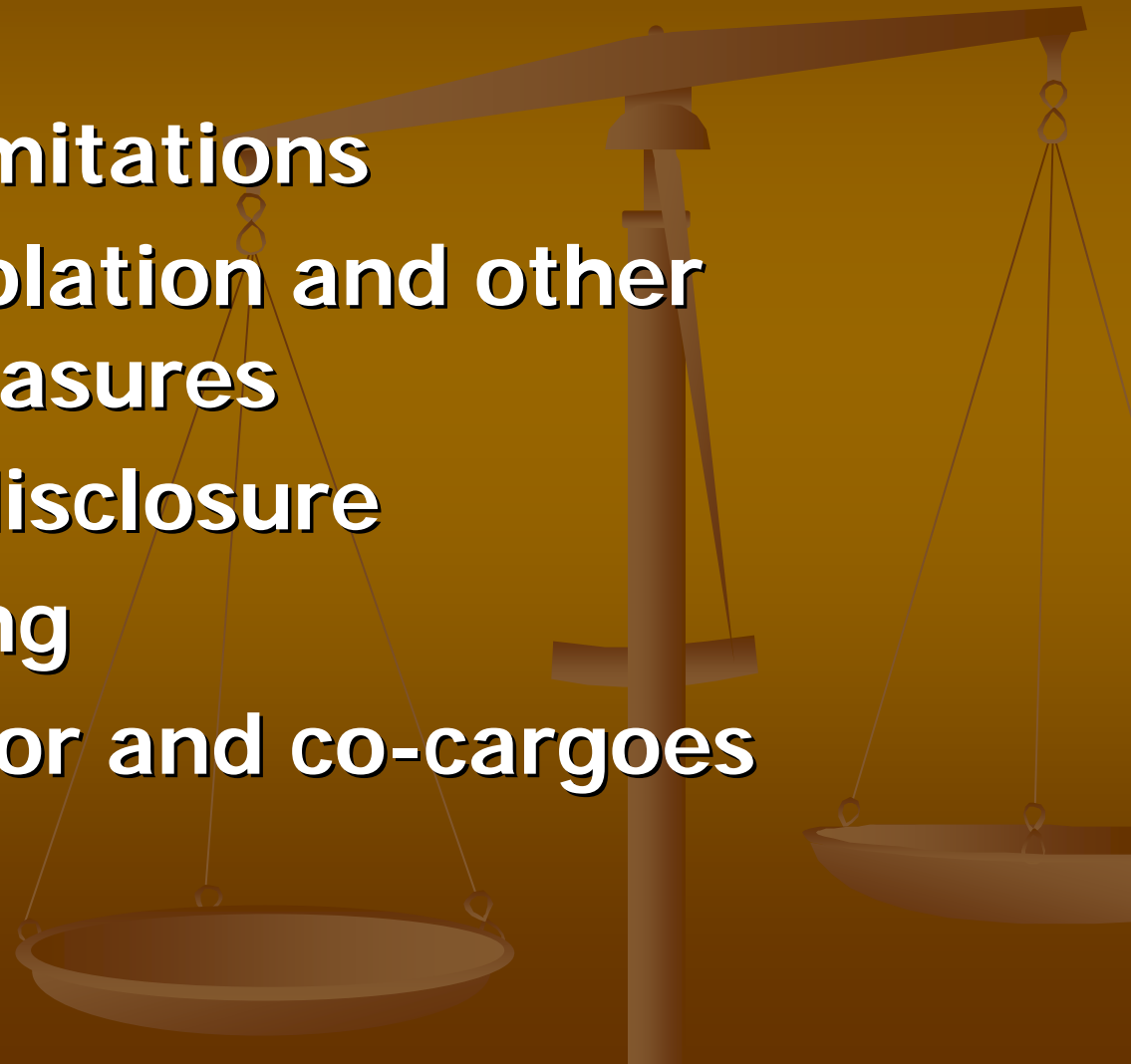
# SFTA of 2005

SFTA 2005 gives FDA the authority to issue regulations prescribing sanitary transportation practices to be followed by shippers, carriers, and others engaged in food transport by motor vehicle or rail to ensure that the food is not rendered adulterated in transport.



# SFTA Provides Authority to Address

- Sanitation
- Vehicle use limitations
- Packaging, isolation and other protective measures
- Information disclosure
- Record keeping
- Prohibited prior and co-cargoes



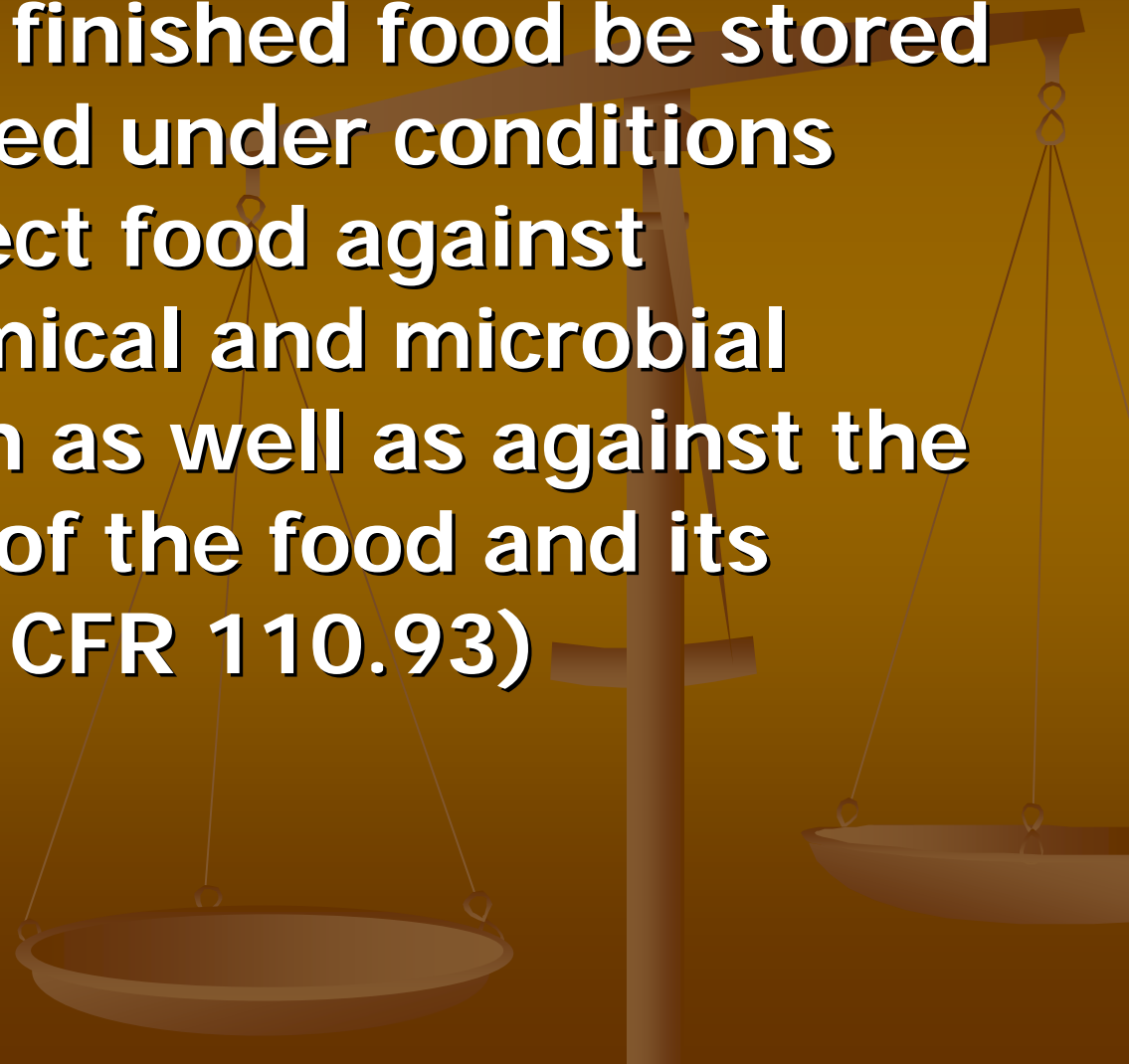
# Enforceability of SFTA

- Food transported not in compliance with the regulations is by law, adulterated.



# FDA's Good Manufacturing Practices (GMP) Regulation

- Requires that finished food be stored and transported under conditions that will protect food against physical, chemical and microbial contamination as well as against the deterioration of the food and its container (21 CFR 110.93)



# April 2010 Advance Notice of Proposed Rulemaking (ANPR)

Available at...

<http://edocket.access.gpo.gov/2010/2010-10078.htm>



# FDA Food/Animal Food Transportation Web Page

<http://www.fda.gov/Food/FoodSafety/ucm203420.htm>



# SFTA and FSMA



- FSMA did not change the fundamental provisions of SFTA.
- Section 111(a) of FSMA requires FDA to promulgate the SFTA regulations within 18 months of FSMA's passage.
- SFTA rulemaking is being managed as a component of our FSMA implementation. Proposal ~ 1 year away.