

9/13/2024

Dear Associate Commissioner Rogers,

The organizations below support FDA's risk-based approach to food safety. We are writing to gauge the Agency's interest in exploring the use of industry 3<sup>rd</sup> party audit data to help inform FDA's inspection strategy and assure the agency is using its resources to focus on those firms that require the most attention.

As you know many food producers, including farms and registered facilities, are subject to annual on-site food safety audits. These audits are primarily done by trained, qualified 3<sup>rd</sup> party auditors using audits that have been benchmarked to the standards set by the Global Food Safety Initiative. In recognition of FDA's limited resources, and in light of FDA's interest in data sharing and collaboration, we have identified a potential opportunity we believe warrants further discussion. Since an audit supports the verification of an entity's food safety system, would FDA be interested in reviewing a firm's food safety audit data? We feel this could be *one factor* used to inform the appropriate inspection frequency for that firm.

The Congressionally mandated inspection frequencies of 3 and 5 years for higher and lower risk firms is somewhat arbitrary and Congress has failed to fully fund FDA in this mandate. Congress did not define what constitutes high versus low risk, and risk is more accurately described as a spectrum. We believe that the American public is best served by enabling FDA to target inspections to those firms with the greatest food safety risk. The willingness of a firm to undergo a 3<sup>rd</sup> party audit and their performance as assessed by that audit might help FDA focus on firms that are not subject to that process.

FDA's recent actions, including the reorganization, signal that the Agency is open to exploring new approaches to managing food safety, and recognizes the power of partnerships. Even if FDA is open to considering industry 3<sup>rd</sup> party audit data, there are many details to be considered and other stakeholders who should contribute to the discussion.

Sharing data with the Agency has been the subject of ongoing discussion, and our hope is that this offer to engage in a dialogue around the use of food safety audit data signals our commitment to working collaboratively with the Agency moving forward. We are also interested in learning FDA's experiences with any 3<sup>rd</sup> party audit pilots. As a next step, we would like to schedule a 1 hour meeting to hear the Agency's initial concerns and share the questions that came to mind as we've thought through how an idea like this could be implemented. Dr. Jennifer McEntire of Food Safety Strategy is our point of contact who can coordinate an initial meeting, and can be reached at [jmcentire@foodsafetystrategy.com](mailto:jmcentire@foodsafetystrategy.com).

Thank you in advance for your consideration.

American Frozen Food Institute

American Spice Trade Association

FMI, The Food Industry Association

International Dairy Foods Association

International Fresh Produce Association

North American Millers Association

Western Growers

Cc: Donald Prater, DVM, Acting Director, CFSAN

James Jones, Deputy Commissioner, Human Foods