

# MARKET November 2022 NEWS



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MERIEUX NUTRISCIENCES(CHINA)

**BETTER FOOD. BETTER HEALTH. BETTER WORLD.**

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## Focus on China

### Clear sum and substance for use of food additives

The State Administration for Market Regulation is soliciting public opinions on draft regulations setting out clearer rules for the use of food additives by catering service providers such as restaurants and take-out food providers.

The catering service providers shall not cover up the quality defects in the food itself or in the processing or use food additives for the purpose of doping, adulteration or forgery, the document says.

Food and beverage service providers are also encouraged to promise consumers to standardize their use of food additives and publicize their use of food additives, according to the document.

All these places are exactly where the regulation of food additives is weak.

Some scandals related to overuse or misuse of food additives have shaken people's faith in food additives, and as a result there are some who demonize all food additives and the whole food industry.

Admittedly, food additives are the soul of the modern food industry. But that does not mean the soul can become a land beyond law. The use of food additives by food and beverage service providers must be put under strict supervision, as it directly concerns food safety and people's health.

The draft regulations highlight some loopholes in the current supervision of food additives. In particular, they emphasize the principle of openness and transparency, urging the catering service providers to fulfill their obligations for informing consumers and strengthening self-discipline.

The document clearly stipulates that relevant national standards on major food additives must be strictly followed, and those using food additives that have not yet been covered by the national standards should record the name of the food, food quantity, processing time and other information.

That means even if a chef or a baker might still have his or her say over what and how many ingredients to use in the food, the whole process of the usage of food additives should be recorded.

If the draft regulations can be adopted, consumers' rights to know and interests can be better protected, and the supervision of food additives in the catering service industries will become more effective.

### How new regulations will impact everyday life

A number of new or revised regulations began to be implemented on Tuesday, affecting many areas of everyday life.

1.

A recently unveiled regulation on advancing the development of self-employed businesses took effect Tuesday, setting out a number of preferential policies.

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Areas covered include registration of market entities, annual reporting services, supply of business premises as well as capital, taxation, finance, social security, entrepreneurship and employment.

Specific measures include guiding and supporting self-employed businesses to accelerate digital development and improve their online business capabilities and stipulating platform operators to solve various problems.

2.

A revised regulation on the training of motor vehicle drivers standardized the management of driving school coaches and driving school activities, encouraging high-quality development of the market.

In terms of coach management, it is stipulated a vocational skill level system should be designed to improve the quality of coaches.

The regulation clearly stipulates driving schools should sign contracts with trainees which clarify the rights and obligations of both parties, protecting trainees' legitimate rights such as independent selection of coaches.

3.

A revised regulation on the recall system for drugs clarifies the responsibility of drug holders on risk management and the safety of public medication, and states the active recall is an important part of lifecycle management.

Drug holders should publish recall information on the websites of provincial-level drug supervision and administration departments.



4.

New rules for food production license review also came into effect on Tuesday, stipulating market regulation authorities, instead of medical products administrations, will take charge of the review.

Market regulation authorities should arrange review work on the issuance, changes and extension of food production licenses, as well as other work.

In order to ensure the approval department completes food production license work within 10 working days, the rules stipulate the completion time limit of on-site inspection is five working days.

5.

According to a statement jointly issued by the Ministry of Finance, the General Administration of Customs and the State Administration of Taxation, China would start collecting an excise tax on e-cigarettes on Tuesday.

E-cigarettes have been added to the tobacco tax line item.

Units and individuals that produce (import) and wholesale e-cigarettes are responsible for paying the tax. The tax rate for the production (import) link is 36 percent, and the tax rate for the wholesale link is 11 percent.

## *International News*

### **FDA Announces the Final Rule for Food Traceability Under FSMA**

Today, the U.S. Food and Drug Administration (FDA) issued a final rule on food traceability designed to facilitate faster identification and rapid removal of potentially contaminated food from the market, resulting in fewer foodborne illnesses and/or deaths.

Foods subject to the final rule requirements appear on the Food Traceability List (FTL). The FTL includes fresh cut fruits and vegetables, shell eggs, and nut butters, as well as certain fresh fruits, fresh vegetables, ready-to-eat deli salads, cheeses, and seafood products.

At the core of the final rule is a requirement that persons who manufacture, process, pack or hold food on the FTL maintain records including Key Data Elements (KDEs) related to Critical Tracking Events (CTEs). Covered firms and farms, retail food establishments and restaurants will be required to provide information to the FDA within 24 hours, or some reasonable time to which the FDA agrees.

The final rule provides full and partial exemptions for some entities and foods, such as certain small producers, small retail food establishments and restaurants, farms that sell food directly to consumers, and foods that receive certain types of processing, among others.

The final rule aligns with current industry best practices and covers domestic firms, retail food establishments, restaurants, and farms, as well as foreign firms and farms producing food for U.S. consumption.

The Food Traceability Final Rule is a key component of the FDA's New Era of Smarter Food Safety Blueprint and implements Section 204(d) of the FDA Food Safety Modernization Act (FSMA).

### **FDA Outlines Strategy to Enhance the Safety of Powdered Infant Formula**

The U.S. Food and Drug Administration has released an outline of a prevention strategy under development to prevent *Cronobacter sakazakii* illnesses associated with consumption of powdered infant formula.

This prevention strategy is being developed following a large-scale recall of powdered infant formula earlier this year. Powdered infant formula was recalled because FDA investigators found insanitary conditions in a manufacturing facility, which possibly contributed to *Cronobacter sakazakii* infections in four infants. The recall added further pressure to an already stressed supply-chain, making it difficult for caregivers of infants to find certain powdered infant formula products earlier this year. While the supply of infant formula products has been steadily increasing and the FDA continues to work with manufacturers to maximize production and fill store shelves, this strategy will outline our path toward enhancing the safety of these products.

Food safety is a shared responsibility and stakeholder engagement is critical to inform our collective next steps. The outline released today is intended to guide discussions during further development of FDA's strategy to prevent *Cronobacter sakazakii* illnesses associated with consumption of

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powdered infant formula. In the coming weeks, teams from across the FDA will be meeting with stakeholders to further discuss, hear their ideas, and finalize the prevention strategy. Following this engagement, we intend to release an updated summary of the powdered infant formula strategy on FDA.gov, just as we did with those, we recently released for [bulb onions](#) and imported [enoki and wood ear mushrooms](#). The updated summary will outline where we are and where we are going in our efforts to enhance the safety of powdered infant formula and will continue to be updated over time as more information is learned.

More information on the strategy can be found on FDA's [Prevention Strategies to Enhance Food Safety](#) webpage and questions or comments can be sent to [FoodSafetyPreventionStrategies@fda.hhs.gov](mailto:FoodSafetyPreventionStrategies@fda.hhs.gov).

### **FDA updates food safety standards for food facilities that were first issued in 2007**

The Food and Drug Administration has issued revised food safety standards for state regulatory programs that oversee food facilities that manufacture, process, pack or hold foods.

These regulatory program standards, known as the Manufactured Food Regulatory Program Standards (MFRPS), were first issued by the agency in May 2007. The 2022 changes include updates to defined terms, new job aides, as well as updates to the current standards.

The standards are intended to achieve basic equivalency in food safety

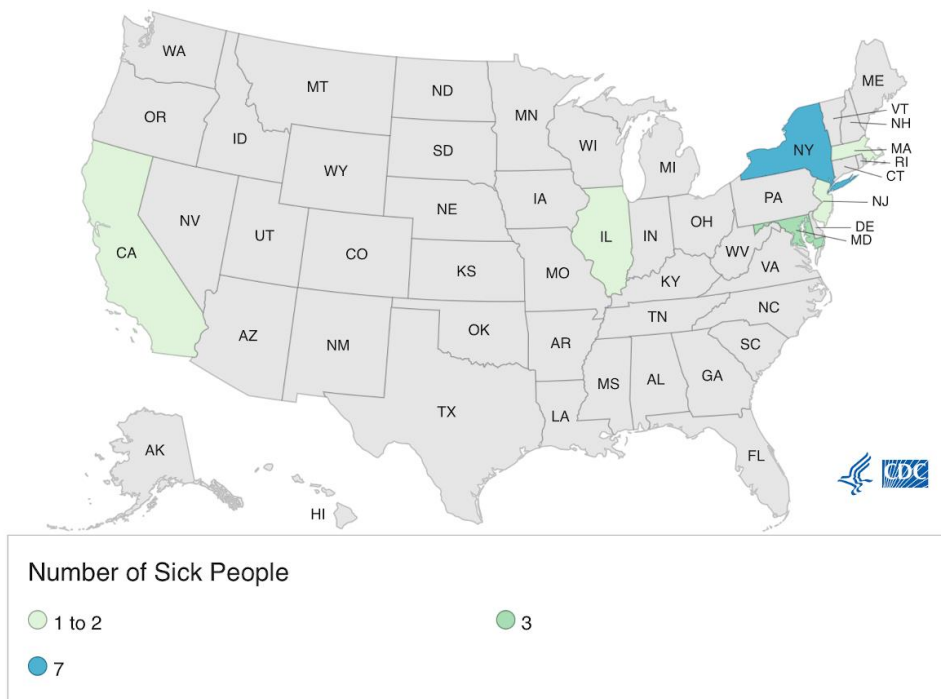
standards and laws, and in inspection programs and practices among state and federal regulators. The standards are a critical component in establishing the national Integrated Food Safety System.

The goal of the standards is to implement a nationally integrated, risk-based, food safety system focused on protecting public health. They establish a uniform basis for measuring and improving the performance of prevention, intervention, and response activities of manufactured food regulatory programs in the United States.

The regulatory program standards are comprised of 10 standards designed to protect the public from foodborne illness and injury. These elements include the program's regulatory foundation, staff training, inspection, quality assurance, food defense preparedness and response, foodborne illness and incident investigation, enforcement, education and outreach, resource management, laboratory resources, and program assessment.

Additional information on the MFRPS 2022 updates, including a downloadable copy of the updated standards, a Summary of Changes to the 2022 MFRPS, and an updated Fact Sheet and Informational Brochure, are available at [Manufactured Food Regulatory Program Standards \(MFRP\)](#).

### Deadly Listeria outbreak traced to deli meat and cheese; CDC says some should avoid all delis



The CDC is recommending that certain people not eat any meat or cheese from any deli counters because of a deadly outbreak of infections from Listeria.

The warning is mostly for people who are at high risk for infection, such as people 65 and older, pregnant women, or people with compromised immune systems.

So far the outbreak has sickened 16 people across six states. Thirteen people have required hospitalization and one has died. One of the sick people one was a pregnant woman with an infection resulting in the loss of a baby.

As of this afternoon, sick people range in age from 38 to 92 years old, with a median age of 74, and 62 percent are male. Of 13 people with ethnic information available, 11 are of Eastern European background or speak Russian. The sick people range from New York to California.

“Of the 12 people interviewed, 11 reported eating meat or cheese from deli counters. Among seven sick people in New York, five bought sliced deli meat or cheese from at least one location of NetCost Market, a grocery store chain that sells international foods,” the CDC reported.

However, sick people from other states purchased deli meats or cheeses from other delis.

“Investigators do not believe that NetCost Market delis are the only source of illnesses because some sick people in the outbreak did not shop at a NetCost Market. A contaminated food likely introduced the outbreak strain of Listeria into delis in multiple states,” according to the CDC.

The agency says it is difficult for investigators to identify a single food as the source of outbreaks linked to deli meats and cheeses. This is because Listeria spreads easily between food and the deli environment and can persist for a long time in deli display cases and on equipment. A contaminated food likely introduced the outbreak strain of Listeria into delis in multiple states.

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Investigators are working to identify any specific products or delis that may be contaminated with the outbreak strain.

Sick people's samples were collected from April 17, 2021, to Sept. 29 this year. The CDC reports that the true number of sick people in this outbreak is likely higher than the number reported, and the outbreak may not be limited to the states with known illnesses. It can take up to 70 days for symptoms of Listeria infection to appear, making it difficult to diagnose and find the source of the pathogen.

Also, some people recover without medical care and are not tested for Listeria.

Whole genome sequencing — genetic fingerprinting — showed that bacteria from sick people's samples are closely related genetically. This suggests that people in this outbreak got sick from the same food.

In 2021, health officials in New York state and New York City found the outbreak strain of Listeria in several environmental and food samples:

- Environmental samples from a NetCost Market deli in Brooklyn
- Several open packages of mortadella and ham were sliced at the same NetCost Market deli in Brooklyn
- Sliced salami that a sick person bought from a NetCost Market deli in Staten Island

NetCost Market voluntarily closed the deli temporarily in Brooklyn after notified them about the sampling results. NetCost Market performed a deep cleaning

and then reopened the deli in Brooklyn after further environmental testing did not identify Listeria.

In September 2022, the outbreak strain was found at the same Brooklyn NetCost Market deli; however, the most recent illness with NetCost Market exposure was in October 2021. After a deep cleaning, additional environmental testing did not identify Listeria in the deli.

### **FDA Proposes Increase in Color Certification Fees**

The U.S. Food and Drug Administration (FDA) today issued a proposed rule to amend the color additive regulations to increase the fees for certification services. If finalized, the proposed rule will implement a 10 cent per pound increase in color certification fees. This is the first increase proposed since 2005 when the current schedule became effective.

An increase in fees is necessary to cover increased operating costs in order to ensure the color certification program continues operating at the high level of quality and efficiency that industry expects.

Under the Federal Food, Drug, and Cosmetic (FD&C) Act, certain color additives must be certified by the FDA for use in food, drugs, cosmetics, and medical devices. The FDA analyzes samples from each batch of color additive received from a manufacturer and verifies that it meets composition and purity specifications. Certification is performed before the color additives are permitted to be used in products marketed to U.S. consumers. Manufacturers pay fees, based on the weight of each batch, and these fees support the FDA's



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color certification program.

Comments on the proposed rule should be submitted within 60 days after publication in the Federal Register. Submit electronic comments to <http://www.regulations.gov>. Submit written comments to the Dockets Management Staff (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852. All comments should be identified with the docket number FDA-2022-N-1635.

Any final rule resulting from this rulemaking will be effective 30 days after the final rule's date of publication in the Federal Register, to provide industry sufficient time to prepare for and adjust to the change in fees.

### **Manufactured Food Regulatory Program Standards 2022 Updates**

The U.S. Food and Drug Administration (FDA) has issued revised food safety standards for state regulatory programs that oversee food facilities that manufacture, process, pack, or hold foods. These regulatory program standards, known as the Manufactured Food Regulatory Program Standards (MFRPS), were first issued by the agency in May 2007. The 2022 changes include updates to defined terms, new job aides, as well as updates to the current standards.

The MFRPS are intended to achieve basic equivalency in food safety standards and laws, and in inspection programs and practices among state and federal regulators. The standards are a critical component in establishing the national Integrated Food Safety System. The goal of the MFRPS is to implement a nationally integrated, risk-based, food safety system focused on protecting

public health. The MFRPS establish a uniform basis for measuring and improving the performance of prevention, intervention, and response activities of manufactured food regulatory programs in the United States.

The regulatory program standards are comprised of ten standards designed to protect the public from foodborne illness and injury. These elements include the program's regulatory foundation, staff training, inspection, quality assurance, food defense preparedness and response, foodborne illness and incident investigation, enforcement, education and outreach, resource management, laboratory resources, and program assessment.

Additional information on the MFRPS 2022 updates, to include a downloadable copy of the updated standards, Summary of Changes to the 2022 MFRPS, and updated Fact Sheet and Informational Brochure, are available at Manufactured Food Regulatory Program Standards (MFRP).

### **Enterprise News**

#### **FDA issues alert over sapovirus illnesses connected to raw oysters**

The U.S. Food and Drug Administration is advising restaurants and retailers not to serve or sell and consumers not to eat certain potentially contaminated oysters after the Southern Nevada Health District notified the FDA of two clusters of sapovirus illnesses.

The oysters subject to the FDA alert are from Dai One Foods Co. Ltd, of the

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Republic of Korea.

According to the alert, the Southern Nevada Health District notified the FDA of two clusters of illnesses from individuals that consumed raw oysters at a restaurant in Las Vegas on Oct. 28 and Nov. 5. As of the posting of this alert, the Southern Nevada Health District reports one confirmed and nine potential sapovirus illnesses.

The oysters were shipped from the ROK and distributed in Alabama, California, Florida, Georgia, Maryland, New York, New Jersey, Nevada, North Carolina, Pennsylvania, South Carolina, Tennessee and Virginia.

The FDA is advising consumers not to eat, and restaurants and food retailers not to sell, and to dispose of the recalled Dai One Food Co. frozen half shell oysters.

### **Almost 300 sick in Singapore linked to a catering company**

Nearly 300 people have fallen ill in Singapore after eating food from a catering company.

Two incidents affected 284 people who reported symptoms after consuming food prepared by Rasel Catering Singapore between Nov. 8 and 16.

The Ministry of Health said patients either sought outpatient treatment, treated themselves, or recovered without help and none were hospitalized. The agency told the company that two staff members were infected by norovirus and one tested positive for Salmonella infection.



### **Operations halted**

The Singapore Food Agency (SFA) suspended operations at Rasel Catering Singapore until further notice. The caterer is required to clean and sanitize the premises, including equipment and utensils, and dispose of all ready-to-eat and perishable food items.

All food handlers working at the premises need to re-attend and pass a food safety course and test negative for foodborne pathogens before they can resume work. The appointed food hygiene officer at the site must re-attend and pass a food safety course before they can go back to work.

SFA said operators must observe good food and personal hygiene practices at all times and added it would not hesitate to take action against anyone violating the Environmental Public Health Act.

Rasel Catering apologized to affected clients and said it was still conducting preliminary investigations while assisting SFA and MOH in their investigations.

“At Rasel, the well-being of our clients is of paramount priority. We will heighten our vigilance in upholding hygiene and cleanliness practices and standards. We understand this incident has posed significant discomfort and inconvenience to the affected clients. We wish the affected clients a speedy recovery,” said a company statement.

### **Penalty after outbreak**

Meanwhile, in October, Lao Huo Tang Group Pte, licensee of ENG’s Wanton

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Noodles, was fined \$3,300 (U.S. \$2,400) in court for selling food unfit for consumption.

In May 2021, the SFA received complaints involving 68 people who had suspected gastroenteritis symptoms after consuming food at one of ENG's Wanton Noodles sites.

An investigation with the Ministry of Health found that ready-to-eat food items such as char siew and Choi sim did not comply with the microbiological limits in the Singapore Food Regulations. SFA suspended operations at the branch of ENG's Wanton Noodles from mid-May to late June 2021.

### Domino sugar recalled over metal wire in product



Domino Foods Inc is recalling certain Domino and C&H Sugar Tubs because of the potential of metal wire in the product.

The product was distributed in Alabama, Arkansas, Connecticut, Georgia, Illinois, Indiana, Kentucky, Louisiana, Massachusetts, Maine, Michigan, Missouri, Mississippi, North Carolina, Nebraska, New Mexico, New York, Ohio, Oklahoma, Pennsylvania, Texas and Wisconsin.

The recall was initiated on Oct. 17, 2022, and is ongoing.

Recalled products:

#	Product Description	Recall Number	Classification	Code Information	Product Quantity	Reason for Recall
1	Domino and C&H Granulated Pure Cane Sugar Easy Baking Tub packaged in 3.5lb plastic tubs 6 tubs per case	F-0082-2023	Class II	Lot Numbers: 52362, 52363, 52364, 52365, 52371, 52372, 52373, 52374, 52375,	6040 cases	Potential to contain metal wire from broken screen

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				52411, 52412, 52413, 52414, 52415 Product Numbers: 533031, 433478 Best By: 09/06/25 through 09/09/25, 09/12/25 through 09/16/25, 10/10/25 through 10/14/25		
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free to contact us on the following email address: [sales.china@mxns.cn](mailto:sales.china@mxns.cn)

These products should be thrown away or returned to the place of purchase.

### **MARKET NEWS - REPLY**

If you have any views or comments on the articles in the marketing news please feel

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