POLICY ALERT

Date: January 20, 1993  Reference #: NSLP 93-1
To: National School Lunch Program Contractors
Subject: Purchase of Fresh Meat or Poultry Topped Pizza
Effective: Immediately

This policy alert rescinds Policy Alert NSLP 91-6 which was released July 30, 1991, regarding Food Safety Inspection Service Requirements (see attached). Federal regulations now exempt from Federal inspection the preparation of pizzas topped with meat food or poultry product that meet the following terms and conditions.

- Meat or poultry products must have been previously inspected and passed in a cooked or cured ready-to-eat form;
  - Pizzas must be served in public or private nonprofit institutions;
  - Pizzas must be ready-to-eat with no further cooking or preparation needed; and,
  - Pizzas must be transported directly to the receiving institution by employees of the preparing firm, the receiving institution, or the food service management company employed by the receiving institution.

Firms claiming the above exemption must comply with specific provisions of the Food and Drug Administration's 1976 Food Services Sanitation Manual as well as the requirements for the manual or machine cleaning of utensils and equipment (see attached 9 Code of Federal Regulations Parts 303 and 381). These firms may sell fresh meat or poultry topped pizzas to SFAs participating in the NSLP provided the pizzas meet the crediting criteria stated in Notice 93-5, Crediting of Fresh Pizza by Schools, released January 20, 1993.

Please note that Food Safety Inspection Services (FSIS) may withdraw or modify the exemption for any firm if necessary to ensure food safety and public health. The due process procedures for taking such action are addressed in the attached 9 CFR Parts 303 and 381. Although State and local health inspection programs have primary responsibility for sanitation, FSIS reserves the right to conduct any inspections it deems appropriate.

School food authorities (SFAs) are reminded that

- No school operating the National School Lunch Program may enter into a sales agency agreement with a vendor of pizza (i.e., the firm may not sell directly to the students with the
SFA acting as an agent of the pizza company (NSL/ SBP Handbook Section VI-4);

- SFAs must follow all federal, state, and local procurement laws or regulations regarding the purchase of fresh pizzas; and,

- SFAs wishing to offer fresh pizza in meals claimed for reimbursement must obtain sufficient crediting documentation from the manufacturer of the pizzas to ensure that the pizza is credited correctly toward meeting meal pattern requirements (see Notice 93-5, released January 20, 1993).

ATTACHMENT