

FDA's Sanitary Transportation Final Rule: General Talking Points

- On April 6, 2016, the Food and Drug Administration issued its Final Rule on Sanitary Transportation of Human and Animal Food. This rule requires many entities that ship, load, carry, or receive food to use sanitary practices to ensure that food safety is not compromised during transportation.
- Pallets are considered “transportation equipment” under the Final Rule. Therefore, pallet suppliers have an obligation to ensure that pallets are designed and maintained so that they are suitable and adequately cleanable for their intended use, in order to prevent food from becoming adulterated.
- We welcome FDA's Final Rule. Pallet suppliers have always been committed to providing their customers with well-designed pallets that allow them to move food products easily and safely within and between facilities. We take our responsibilities under the new rule seriously and look forward to continuing to provide our customers with the high quality products and service they have come to expect from us.
- FDA, in issuing the Final Rule, recognized the longstanding value that wooden pallets provide in transporting food from place to place. We are pleased that FDA, appropriately, continues to permit the use of wooden pallets as a safe and efficient food transportation option.

FDA's Sanitary Transportation Final Rule: FAQs for Pallets

Q: How are pallets regulated under the Final Rule?

A: Under the Final Rule, pallets are considered “transportation equipment.” They must be designed and maintained in a way that makes them suitable and adequately cleanable for their intended use, so that food does not become unsafe during transportation.

Q: When I return an empty pallet to my pallet supplier, am I shipping “food”?

A: No. FDA has stated that empty food shipping and storage equipment is not “food” under the Final Rule. When you return a pallet to a pallet supplier you are not subject to the Final Rule's requirements.

Q: What specific requirements does the Final Rule impose on companies that use pallets?

A: The Final Rule is flexible and lets companies develop their own procedures for the care and maintenance of pallets. The primary requirement is to keep these items reasonably clean for their intended purpose, to ensure that food stays safe during transportation.

Q: What do pallet suppliers have to do to provide customers with products that comply with the Final Rule?

A: Pallet suppliers must design and produce pallets so that they are suitable and adequately cleanable for their intended use, to prevent food from becoming adulterated. They also need to make sure that they comply with other FDA regulations that apply to equipment that comes into physical contact with food. Pallet suppliers take these responsibilities very seriously, as they always have.

Q: What do I need to do to make sure the pallets I use comply with the Final Rule?

A: Once you receive pallets from your supplier, you need to maintain them in a sanitary condition, as appropriate for their intended use, so that the food does not become unsafe during transportation. You also need to store them in a manner that prevents pests or contamination that could cause the food to become unsafe. FDA has not established specific requirements for meeting these responsibilities. Therefore, how you choose to meet these requirements is up to you, and will depend on factors including the type of food you are transporting and the manner of transportation.

Q: Are wooden pallets permissible?

A: Yes. FDA recognized the value of wooden pallets when it issued the Final Rule. Just like pallets made of other materials, wooden pallets can be used to transport food as long as they are designed and maintained in a way that makes them suitable and adequately cleanable, so the food they carry does not become unsafe during transportation.

Q: How do I know that wooden pallets won't damage my food packaging?

A: Our members are careful to monitor pallets for any jagged edges, splinters, raised nail heads, or other damage that could potentially tear or puncture food packaging. However, no one can guarantee against the possibility that pallets could become damaged during shipping or storage. Therefore, it is always a sound practice to examine pallets before use.

Q: Can wooden pallets be stored outside when they are not in use?

A: Yes. FDA permits outdoor storage, as long as the pallets, when they are used, will not cause food placed on them to become unsafe. Ultimately, if you store them outside, you should be aware of your responsibilities when you bring them into your facility, and decide what level of cleaning is required to make the pallets suitable for their intended use, which may depend on what type of food will be on the pallets and whether any visible contaminants are present.

Q: I only plan to use pallets to transport fully enclosed packaged food. What cleaning do I need to do?

A: If pallets will only transport fully enclosed packaged food, FDA does not require any cleaning of the pallets, since the food being transported is not at risk of contamination.