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### FDA sends warning letter to Jimmy John's

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By Sascha Matuszak

The United States Food and Drug Administration warned Jimmy John's Franchise LLC that the corporation has “engaged in a pattern of receiving and offering for sale adulterated fresh produce, specifically clover sprouts and cucumbers,” and that it has 15 days to make changes and report back to the FDA.<sup>[1]</sup>

The letter lists several outbreaks linked to Jimmy John's franchises and their suppliers and states that the outbreaks “demonstrate the corporate-wide supplier control mechanisms [it has] in place for receiving fresh produce are inadequate,” and that despite taking some corrective action following outbreaks in 2012 and 2019, the company has not “provided FDA with any information demonstrating long-term, sustainable corrections have been implemented throughout [the] organization to prevent this violation from recurring in the future.”

The letter also references two of the seven key rules related to human food from the FDA's Food Safety Modernization Act (FSMA)—the Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption rule<sup>[2]</sup> and the Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Human Foods rule.<sup>[3]</sup>

FSMA is a major FDA initiative to update the food supply chain in the United States and enhance efficiency and safety, and it is backed by Director Frank Yiannas.<sup>[4]</sup>

<sup>1</sup> United States Food and Drug Administration, “Warning Letter: Jimmy John's Franchise, LLC,” MARCS-CMS 599962 — February 21, 2020, <http://bit.ly/2VmNGhN>.

<sup>2</sup> 21 C.F.R. § 112.

<sup>3</sup> 21 C.F.R. § 117.

<sup>4</sup> Sascha Matuszak, “US food industry moves to comply with sweeping food safety legislation,” *Report on Supply Chain Compliance* 2, no. 6 (April 4, 2019), <http://bit.ly/2pxyOyU>.

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