



Legal View on Aseptic Beverages: Risks and Mitigation Strategies

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Steve Toeniskoetter / Niagara Bottling



Work Experience / History

Steve Toeniskoetter is Director of Legal Affairs, Regulatory for Niagara Bottling, a family owned and operated bottled water and beverage manufacturer based in Diamond Bar, CA, with plants throughout the U.S. He provides legal advice and support on food safety, food labeling, and other regulatory matters. Steve began his legal career in the Minneapolis office of Faegre Baker Daniels before moving to Hormel Foods, where he managed food law and litigation matters for a wide variety of food and beverage products.

Education

Undergrad: University of Minnesota (BA, Classical Civilizations / Cultural Studies & Comparative Literature) (2002)

Law Degree: University of San Francisco School of Law (2006)

Hobbies

Skiing
Mountain Biking
Travel



Institute for Thermal Processing Specialists



**Family
Owned &
Operated**

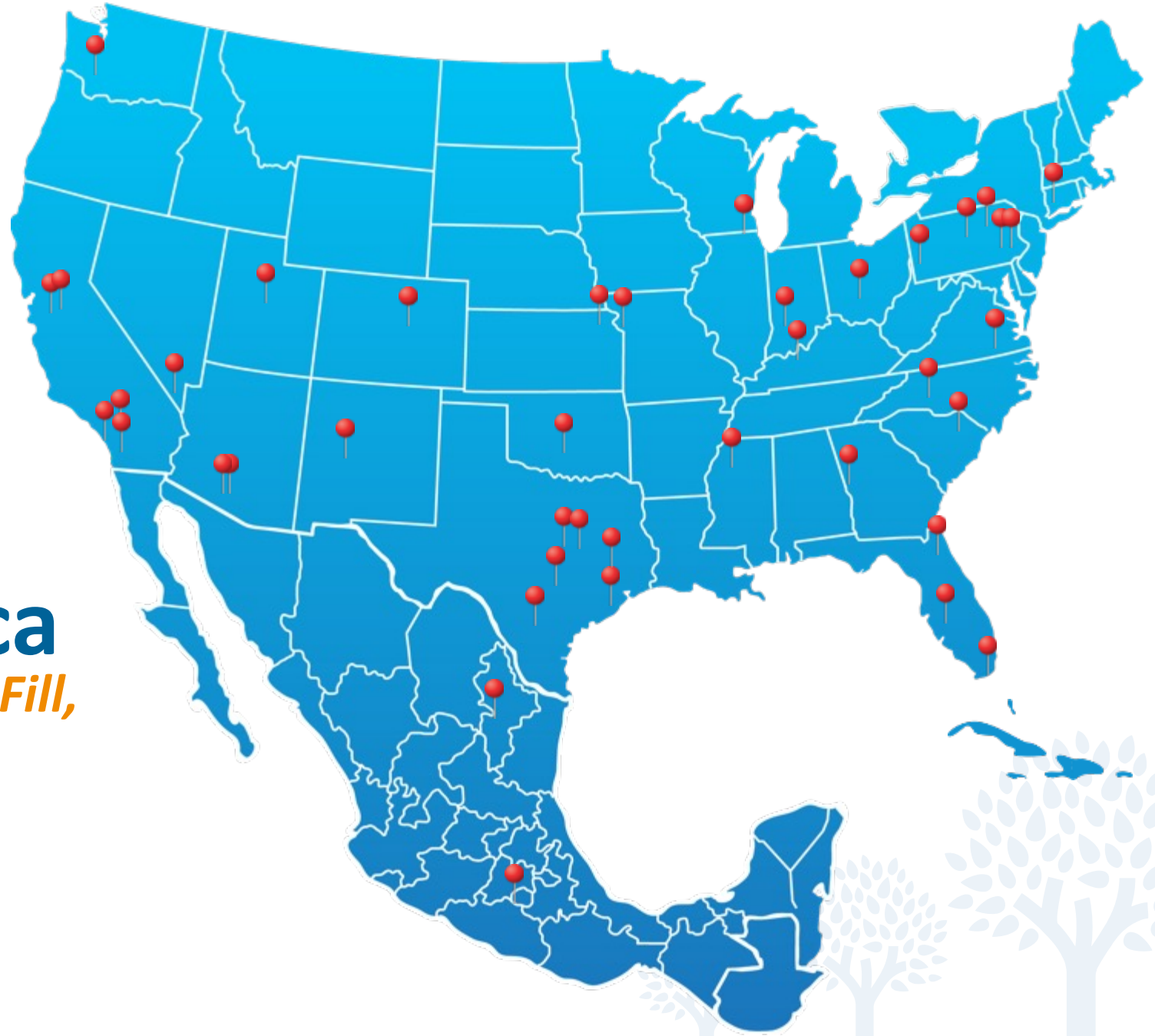
FUTURE HOME OF
NIAGARA
DRINKING WATER
(714) 835-7100



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Plants in North America

*Sparkling, Hot fill, Cold Fill,
Aseptic*





Focus on Plant Automation

Automatic Storage and Retrieval System (ASRS) and Laser Guided Vehicles (LGVs)

Total Integration

- Injection Molding
- Blow Molding
- Filling
- Preforms
- Bottles
- Caps



Aseptic: Risks Abound!

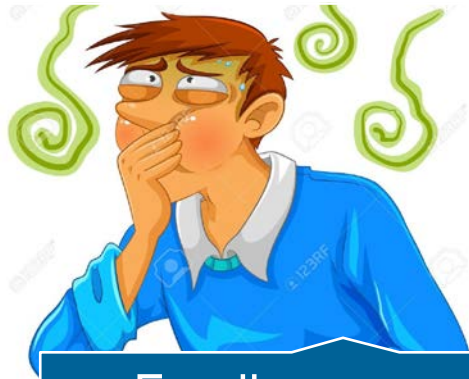


Complicated systems

- Many CCPs = many opportunities for things to go wrong



Consequences



Foodborne
Illness Outbreak



Recall



Litigation



Directed
Inspection



Plant-Line
Shutdown



Mitigation Strategy: Food Safety Culture

- Pillar in FDA's New Era of Smarter Food Safety blueprint
 - Best described as “the aggregation of the prevailing, relatively constant, learned, **shared attitudes, values and beliefs contributing to the hygiene behaviors used** within a particular food handling environment” (Griffith, Livesey, and Clayton 2010).



Food
Safety
Culture

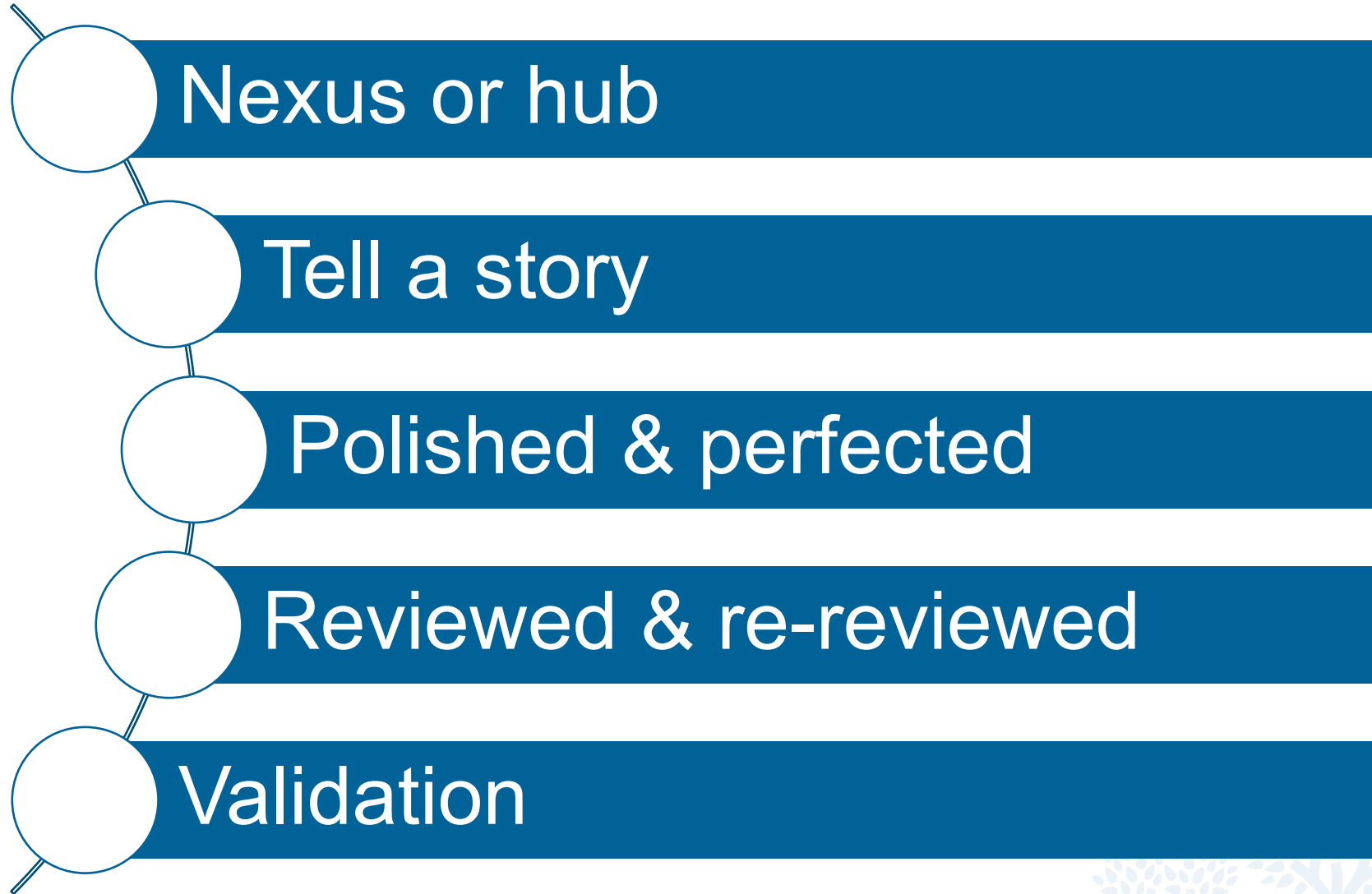
Mitigation Strategy: Documentation



- The old adage: If isn't documented...
- Many systems leads to many documents and potential sources of the “truth”
- Organized & easy to read
- Deviations



Mitigation Strategy: Food Safety Plan



Mitigation Strategy: Be Inspection-Ready!



Have a plan / policy / guide



Train & retrain



Identify resources



Test your system



Close-out & follow up



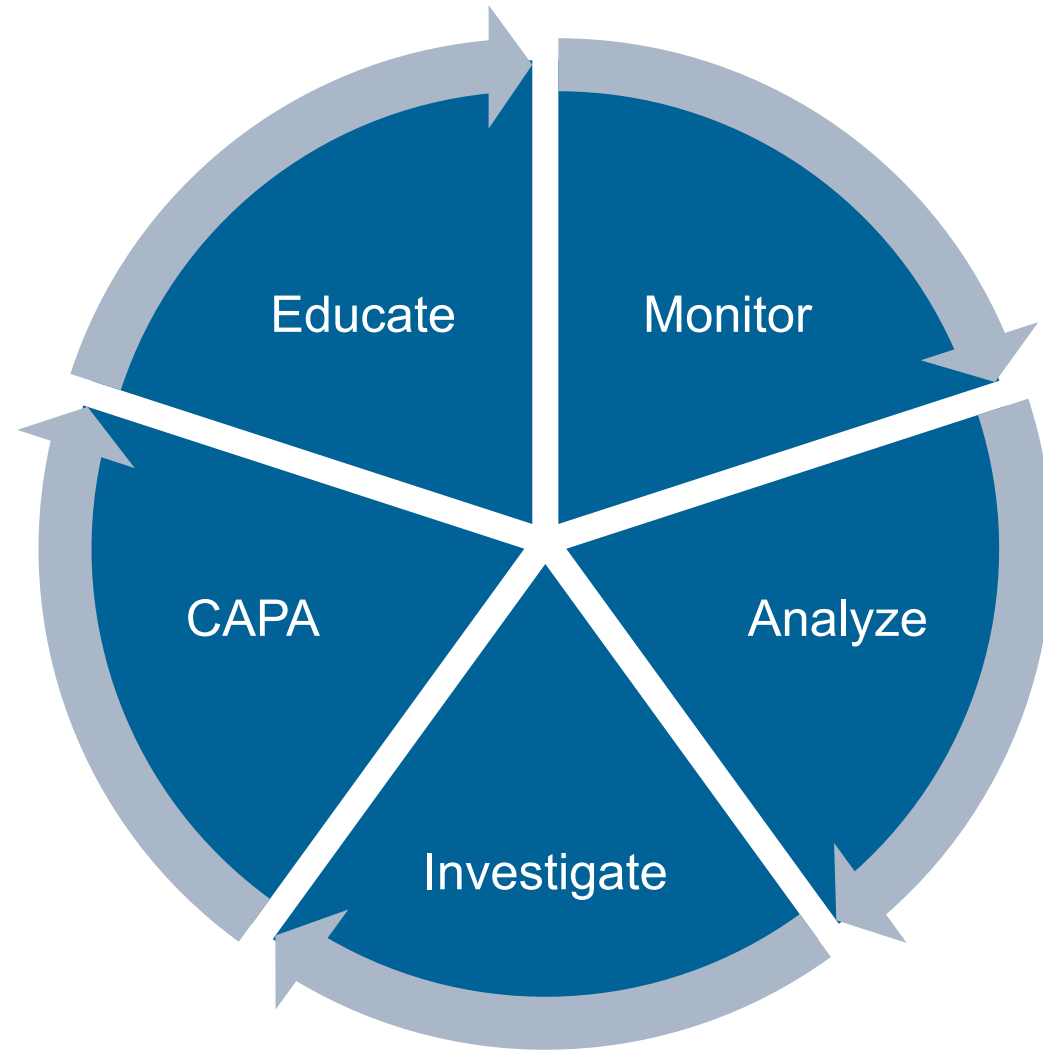
Inspection Tips



- Ask up front what kind of inspection.
- Inspection folder: Policy, resources, FSP, etc.
- Plant Mgr and QA Mgr must be ready to review and explain FSP
- To allow or not allow photos/videos?
- Dedicated room
- Do not sign anything
- Mark for confidentiality
- Close-out:
 - Fix what can be fixed
 - Clear expectation of what will be fixed and when
 - Follow-up timely



Mitigation Strategies: Complaint Data



Other Mitigation Strategies

- Supplier & Ingredient Scrutiny
- Product hold & release processes
- Contracts
- Recall Insurance



A clear plastic bottle of Niagara Purified Drinking Water is the central focus, splashing in a white bowl. The bottle's label is blue and white, featuring the brand name 'niagara' in a lowercase, sans-serif font. Below the name, it reads 'PURIFIED DRINKING WATER' and '100%'. The splashing water is captured in mid-air, creating a dynamic and refreshing scene. The background is a soft, out-of-focus white, suggesting a clean, bright environment.

Questions & Discussion

