



September 8, 2025

By Electronic Submission

Katherine Vierk
Office of Surveillance Strategy and Risk Prioritization,
Human Foods Program
Food and Drug Administration,
5001 Campus Dr., College Park,
MD 20740

Re: Requirements for Additional Traceability Records for Certain Foods: Compliance Date Extension; Proposed Rule, Docket No. FDA-2014-N-0053

Dear Katherine Vierk:

The National Restaurant Association appreciates the opportunity to comment on FDA's proposed rule extending the compliance date for the Final Rule, *Requirements for Additional Traceability Records for Certain Foods* (Food Traceability Rule), by 30 months - from January 20, 2026, to July 20, 2028.

Founded in 1919, the National Restaurant Association is the leading business association for the restaurant industry, which comprises more than 1 million restaurant and foodservice outlets and a workforce of 15.7 million employees. Together with 52 state associations, the National Restaurant Association creates a network of professional organizations dedicated to serving every restaurant through advocacy, education, and food safety.

Food safety is the restaurant industry's top priority, and we are committed to increasing traceability throughout the supply chain. Since the FDA's final traceability rule was published in 2022, the National Restaurant Association has worked diligently to educate our members on the rule's requirements, timelines, exemptions, and compliance strategies. However, a number of challenges remain for many of our members who are working to comply with the rule. To that end, we strongly support the proposed extension and believe this time will be essential to achieving effective and efficient compliance.

The Extension is Critical for Effective Implementation

The Food Traceability Rule represents a sweeping change in the way food is tracked and recorded throughout the supply chain. It requires companies to maintain extensive new records, implement new interoperability standards, and align systems with upstream and downstream partners. Achieving this requires a full-scale redesign of recordkeeping practices and technology investments across the entire industry. Many companies, including restaurants and their suppliers, are already investing heavily in compliance planning and system overhauls.

However, downstream sectors like restaurants cannot fully implement compliant programs until their suppliers establish standardized practices for assigning traceability lot codes (TLCs) and passing

forward key data elements (KDEs). Without adequate time for alignment, these requirements risk adding unnecessary costs and operational strain while failing to deliver their intended public health benefits.

The 30-month extension acknowledges these realities and will allow:

- Technology development and testing to integrate new, interoperable systems;
- Pilot programs and simulations to identify gaps before large-scale investment;
- Supply chain alignment so that all partners- from growers to restaurants- can implement consistent approaches; and
- Training and workforce preparation to ensure smooth adoption across a highly complex, fragmented sector.

Allotting additional time to navigate these hurdles is consistent with FDA's commitment to food safety, industry readiness, and reducing regulatory burdens that could otherwise raise costs and limit food availability.

Provide Flexibilities to Support Compliance

While the additional time for compliance is both welcome and essential, further clarifications and flexibilities from the agency would make compliance more feasible without diminishing the rule's public health impact.

For example, the rule should avoid case-level tracking mandates, which would require costly, impractical system overhauls. Restaurants often receive mixed pallets with cases from multiple lot codes. Distributors have reported challenges tracing these codes without case-level tracking. Allowing a reasonable range of possible lot codes would simplify compliance while still enabling effective traceability.

Additionally, the FDA should clearly articulate its enforcement and implementation expectations for FSMA 204 at the restaurant and retail level. Our Association is actively supporting industry readiness by identifying tools and resources to aid compliance. However, a recurring concern among our members is how the rule will be enforced at the local level. We urge the FDA to provide clarity on this point and to continue collaborating with state and local public health agencies that play a critical role in implementing and enforcing food safety regulations.

Conclusion

The National Restaurant Association supports extending the Food Traceability Rule compliance date to July 20, 2028. This additional time is not a delay in progress; it is a necessary step toward thoughtful, coordinated implementation.

We encourage FDA to continue collaborating with industry partners and provide additional flexibilities to reduce unnecessary burdens while achieving the rule's food safety goals.



We stand ready to work closely with FDA and supply chain partners to deliver a traceability system that enhances public health, strengthens confidence in our food supply, and supports efficient restaurant operations nationwide.

Sincerely,

A handwritten signature in black ink that reads "Laura Abshire". The signature is written in a cursive, flowing style.

Laura Abshire
Director of Food and Sustainability Policy
National Restaurant Association