

**USDA-FSIS Report
2011 Fall Executive Board
Conference for Food Protection**

Date: August 31, 2011

Submitted by: John M Hicks *Presented by: Jennifer Webb

FSIS Update on New Labeling

- **Current Allergen Policy**

FSIS requires establishments to declare all ingredients used to formulate a meat, poultry, or egg product in the ingredients statement on product labeling. Recent recalls indicate that some establishments have failed to address the chemical (allergen) food safety hazard in its hazard analysis, failed to support the decision in the hazard analysis, failed to reassess the hazard analysis, or failed to effectively implement the controls to support the decision (9 CFR 417.2, 417.3, 417.4, 417.5, 417.8).

- **Trend in Allergen Recalls**

Over the past two years, there has been a sustained increase in the number of recalls due to the presence of undeclared allergens on the labeling of meat and poultry products. These recalls for undeclared allergens reflect potential public health hazards.

Number of Recalls for Undeclared Allergens	
Year	# of Recalls
2009	14
2010	18
2011*	20

Many of these recalls occurred because the establishment changed their product formulation or a supplier changed their ingredient formulation and the labeling of the finished meat or poultry product in which the ingredient was used did not reflected the change.

- **New Allergen FSIS Issuances**

In July 2011, FSIS issued Notice 35-11 to encourage establishments to review their process controls for ingredients of public health concern to prevent the production and shipment into commerce of adulterated or misbranded product. <http://www.fsis.usda.gov/OPPDE/rdad/FSISNotices/35-11.pdf>

- **Labeling for Raw Meat and Poultry Products Containing Added Solutions**

FSIS is proposing to amend its regulations to establish a common or usual name for raw meat and poultry products that do not meet standard of identity regulations and to which solutions have been added. The Agency seeks to ensure that the common or usual name consistently conveys to consumers that these products contain added solutions, along with the percentage and ingredients in the added solution. These changes allow consumers to distinguish products clearly and easily with added solution ("enhanced products") from products that do not contain added solutions in order to be able to make informed choices in the store. <http://www.fsis.usda.gov/oppde/rdad/FRPubs/2010-0012.htm>

- **Mechanically Tenderized Meat and Poultry Products**

The Agency will propose that raw, needle or blade, mechanically tenderized, meat and poultry products be labeled to indicate that they are "mechanically tenderized." In addition, FSIS will propose that labels of raw mechanically tenderized product include cooking instructions that have been validated to ensure adequate pathogen destruction. The new labeling requirements would apply to consumer ready product, product going to food service facilities, and product going to other Federal establishments for further processing.

For mechanically tenderized products that receive a full lethality (e.g., are thoroughly cooked) in a Federal establishment, FSIS will propose that the product continue to be labeled as "mechanically tenderized." However, the Agency will also propose that fully cooked, ready-to-eat mechanically tenderized products need not bear cooking instructions on the label.

<http://www.reginfo.gov/public/do/eAgendaViewRule?pubId=201104&RIN=0583-AD45>

- **Exemption for Catering Operations**

FSIS is preparing to issue a notice to announce that the Agency is reviewing the regulations that provide a limited exemption from federal inspection requirements for certain catering operations. FSIS is issuing this notice because the results of a recent field assessment of catering firms indicate that there is some confusion over the requirements of the exemption.

Retail Activities

- **Recordkeeping for Establishments and Retail Stores which Grind or Chop Raw Beef**

FSIS is developing a proposed rule requiring establishments and retailers to keep records to facilitate more accurate traceback during recalls. Several outbreak-related recalls were halted at the retail level because poor recordkeeping did not provide sufficient information to traceback product to suppliers within the Federal inspection system.

Official establishments and retail stores that grind or chop raw beef products for sale in commerce will be required to keep records that disclose the identity of the supplier of all source materials that they use in the preparation of raw ground or chopped product and identify the names of those source materials.

- **Ground beef Sampling at Retail**

FSIS is currently updating the current sampling policy (2008 Directive 8010.1 Rev 2) for raw ground beef at retail. We are considering updating or prioritizing sampling based on practices at the retail. Currently OPEER investigators collect samples and report on practices at the retail. The review will take into account the information currently being collected at the time of sample collection.

<http://www.fsis.usda.gov/OPPDE/rdad/FSISDirectives/8010.1Rev2.pdf>

- **Lm Environmental sampling at Deli**

FSIS is developing a proposed sampling program (non-food contact surface only) that would be non-regulatory to test for *Listeria monocytogenes* in the environment in retail delis. If insanitary conditions are found, FSIS would notify the retailer, and work with State and local public health partners to take corrective actions, if needed. FSIS intends to start sampling in January 2012.

- **Listeria Market Basket Survey**

The purpose of the survey is to determine:

- How *Listeria monocytogenes* (*Lm*) contamination varies among ready-to-eat (RTE) food categories
- How the relative risk ranking of RTE foods at retail has changed since the 2003 FDA/FSIS *Listeria* risk assessment

Federal Register Notice (Apr 7) was published that requests scientific data and information and informing the public that ARS will collect *Lm* data from select retail products. During the 12 month survey, ARS will not inform stores that samples will be collected to ensure retailers do not alter their practices. ARS will publish their findings in scientific literature and share information at the end of the study with FSIS and FDA. Survey results will be used to inform FDA and FSIS risk assessments and will be published in the peer-reviewed literature. <http://www.gpo.gov/fdsys/pdsys/pkg/FR-2011-04-07/html/2011-8360.pdf>

- **Update to the 2003 Risk Ranking**

FSIS in partnership with FDA, is gathering data to update the 2003 risk ranking for RTE foods at retail. Large scale data surveys are underway that will include samples purchased at retail and data from regulatory sampling.

Update on Risk Assessments

FSIS is developing the first quantitative microbial risk assessment for evaluating the effectiveness of interventions and factors that contribute to foodborne illness at retail. This interagency retail risk assessment, was developed in collaboration with academia (VA Tech, Cornell University, University of

Maryland), consumer groups (CFA, CSPI, etc.), state partners (via EHS-NET and AFDO), and industry (AMI, GMA, FMI).

This is a priority initiative of the White House Food Safety Work Group.

- ***Listeria monocytogenes* cross contamination at Retail**

FSIS has funded several data collection efforts to better understand *Listeria monocytogenes* transmission at retail and provide quantitative data for its risk assessments.

Data collection efforts at retail;

- interagency agreements with CDC for an EHS-Net study of national retail handling of RTE foods (observational behaviors)
- an interagency agreement with ARS to gather national data on *Listeria monocytogenes* in retail RTE meat and poultry products
- A contract with Cornell University to gather longitudinal data on *Listeria monocytogenes* in the retail environment
- A contract with Virginia Tech to evaluate the transmission of *Listeria monocytogenes* in a retail setting (“mock deli”).

FSIS will share the retail risk assessment model with stakeholders and the public and use it to guide decisions to improve retail food safety. The model will also be peer reviewed and is targeted for completion at the end of 2011.

- **Beef Slaughter Risk Assessment**

FSIS is currently working on a risk assessment examining the potential effects of mitigations for control of enteric pathogens on beef at slaughter.

Other Activities

- **2001 RTE Rule Update**

On February 27, 2001, FSIS published a proposed rule amending the regulations by establishing food safety lethality performance standards for all ready-to-eat (RTE), and all non RTE meat and poultry products, subjected to lethality treatments that are not designated to fully eliminate pathogens of public health concerns. FSIS is currently working to address final disposition of the 2001 proposed rule.

- **Inspection of Catfish Products**

The public comment period ended in June 2011. FSIS is analyzing comments received during the comment period and is preparing a response.