Food Safety and Inspection Service (FSIS)

Topics

- 2018 Fall Regulatory Agenda Highlights
- Inspection Modernization Efforts
  - New Swine Slaughter Inspection System (NSIS)
  - HACCP for Egg Products
- Salmonella Performance Standards for Beef
- Expansion of non-O157 STEC Testing for Raw Beef Products
- Campylobacter Performance Standards in Raw Poultry
- Labeling Updates

Rulemaking

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<td>Changes to Accreditation of Non-Federal Laboratories for Analytical Testing of Meat, Poultry, and Processed Egg Products</td>
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Rulemaking

| Eligibility of the PRC to Export Siluriformes Fish and Fish Products to the United States | Proposed Rule: 9/19/2018 | Final Rule: TBD |
| Eligibility of the Socialist Republic of Vietnam to Export Siluriformes Fish and Fish Products to the United States | Proposed Rule: 9/19/2018 | Final Rule: TBD |
| Eligibility of Thailand to Export Siluriformes Fish and Fish Products to the United States | Proposed Rule: 9/19/2018 | Final Rule: TBD |
| To Establish a Uniform Time Period Requirement and Clarify Related Procedures for Filing Appeals of Agency Inspection Actions | Proposed Rule: 4/00/2019 |

Modernization of Swine Slaughter Inspection

- **Proposed Rule to Amend Egg Products Inspection Regulations**

  - **FSIS has Proposed to Require Egg Products Plants to:**
    - Develop and implement:
      - HACCP Systems (9 CFR Part 417)
      - Sanitation Standard Operating Procedures (Sanitation SOPs) (9 CFR Part 416)
      - Meet sanitation performance standards in (9 CFR Part 416)
    - Convert prescriptive, command-and-control requirements to performance standards to provide industry more flexibility and the ability to innovate
      - Plant sanitation, construction of rooms, doors, windows, plumbing and sewage disposal
    - Remove the prescriptive pasteurization regulations, replace with a new regulation specifying that egg products must be produced to be edible without additional preparation to achieve food safety; require that egg products be produced such that finished product has no detectable pathogens
    - Reinterpret “continuous” inspection
      - In the Fall 2018 Regulatory Agenda, FSIS estimated that the final HACCP for Egg Products rule would publish in May 2019

- **Food Safety and Inspection Service (FSIS)**
  - Modernization of Swine Slaughter Inspection
    - FSIS received over 83,000 comments from trade associations, pork processors, consumer groups, worker safety advocates, labor unions, animal welfare groups, foreign countries, and individual consumers.
    - Comments from members of industry:
      - Proposal’s requirement to immediately denature carcasses that have been sorted and won’t be presented for slaughter is burdensome
      - FSIS should enforce proposed RTC standard further down the processing chain than proposed or immediately before packaging
      - Establishments should be allowed to use discretion when deciding, on a lot-by-lot basis, whether to incise mandibular lymph nodes or palpate viscera
      - Proposal’s requirement for pre-operational environmental sampling is unnecessary and lacks support
      - Sampling frequency for all establishments should be based on the number of head slaughtered
    - Received many comments from individuals, unions, worker safety advocates concerned that removing line speed caps could have a negative effect on worker safety, food safety, and animal welfare
    - Fall 2018 Regulatory Agenda indicates the final rule will publish April 2019.
**Background: Performance Standards**

- Since 1996, FSIS has employed *Salmonella* performance standards for pathogens in raw meat and poultry products:
  - Reduce the food safety hazards posed by harmful bacteria on raw meat and poultry products, thereby reducing illnesses
  - Encourage continual improvement of process control by industry, and
  - Encourage appropriate microbial testing by industry
- FSIS conducts verification sampling to assess whether establishments are meeting performance standards
- In 1996, *Salmonella* performance standards codified for establishments producing selected classes of raw meat products, including ground beef, and carcasses of steers and heifers and cows and bulls.
- FSIS is not presently assessing if beef establishments against the 1996 *Salmonella* performance standards because the data used to establish these standards is outdated.

**Controlling *Salmonella* in Ground Beef**

- We continue to have *Salmonella* foodborne outbreaks associated with ground beef.
  - 2016/2017: 106 *Salmonella* Newport illnesses in 21 states were linked to ground beef. One person died and 42 people were hospitalized.
  - 2018/2019: Multi-state illness outbreak from beef products contaminated with *Salmonella* Newport. To date, the outbreak has resulted in 333 illnesses and 91 hospitalizations in 28 States.
- October 4, 2018, ~6.5 million pounds of raw beef products, including ground beef were recalled from one establishment that has been directly linked to this outbreak; December 4, 2018, recall expanded to include an additional ~5.2 million pounds of raw beef products.

**Salmonella Performance Standards**

- To address continued outbreaks, in FY2019, FSIS intends update its standard for ground beef and establish a new standard for beef manufacturing trimmings.
- FSIS anticipates the new performance standards will lead establishments producing raw ground beef and beef manufacturing trimmings to strengthen their *Salmonella* control measures.
- FSIS will consider comments received on the notice before announcing final standards in the FR and implementing them.

**Expansion of Non-O157 STEC Testing**

- In 2011, FSIS announced that raw non-intact beef products or beef products intended for non-intact use are adulterated if contaminated with non-O157 serogroups O26, O45, O102, O111, O121, and O145
  - (21 U.S.C. 601(m)(3)) (76 FR 58159)
- FSIS began verification testing for non-O157 STEC in beef manufacturing trimmings (BMT) June 2012
  - (77 FR 9889; Feb. 21, 2012)
- FSIS has announced in sampling plans its intention to expand non-O157 STEC testing to include raw ground beef components other than BMT.
Rationale for Expansion of Non-O157:H7 (STEC) Testing

- Summer of 2018, there was an outbreak of E. coli O26; raw ground chuck was the probable source of the reported illnesses; 18 case-patients confirmed ill across four states; six people were hospitalized, and 1 died.
- FSIS presently only tests BMT for non-O157 STEC in addition to E. coli O157:H7 – FSIS evaluated its beef manufacturing trimmings test results and found that positives for E. coli O157:H7 and non-O157 STEC are not typically found in the same sample.
  - FSIS verification results do not support using E. coli O157:H7 as an indicator organism for non-O157 STEC. Rather, the results indicate a need for FSIS to conduct additional verification testing of products for non-O157 STEC.
- In light of the recent O26 outbreak, and our BMT data analysis indicating the need to look for both E. coli O157:H7 and non-O157 STEC in raw beef products, FSIS is considering expanding its non-O157 STEC testing to all raw beef products that we currently test for E. coli O157:H7, including other ground beef components and bench trim use in the production of raw ground beef.

Campylobacter Performance Standards: Next Steps

- In August 2018, FSIS initiated testing all raw poultry samples using the enrichment method.
- Procedures and frequency of sample collection remain the same.
- In August, 2018 FSIS also announced that after collecting sufficient data, it intends to revise Campylobacter performance standards for raw poultry products based on the enrichment method and intends to propose and request comments on these revised standards in the Federal Register.

Animal Production Raising Claims Guidance

- Provided clarification on the types of documentation needed to support specific raising claims (e.g., diet and breed).
- Comment period closed on December 15, 2016. Over 4000 comments received.
- FSIS is in the process of evaluating all comments and will publish the guidance in final this year.
Non-Genetically Engineered Claims

- FSIS has approved labels that state the products meet the standards of a third-party certifier regarding the use of feed containing ingredients that are not genetically engineered, e.g., “This pasture raised beef is fed a vegetarian diet that was produced in compliance with the Non GMO Project standard for avoidance of genetically engineered ingredients.”

Nutrition Labeling

- Some proposed changes to the nutrition facts panel format:
  - Switched order and placement of servings per container
  - Bolded serving size and Calories
  - Increased font size for Calories
  - Updated Daily Reference Values (DRVs)
  - Includes Xg Added Sugars with %DV
  - Trans Fat is mandatory
  - Vitamin D and Potassium are mandatory
  - Vitamin A and Vitamin C are voluntary
  - New footnote
  - Some packages will require 2 columns

- Until a final rule for FSIS is published, product labels may continue to use the current/original nutrition regulations in 9 CFR
- In the interim, FSIS labeling may Voluntarily use the new FDA format
- Companies should obtain one LPDS sketch for each specific format then same panel may be added to other labeling with generic approval per 9 CFR 412.2

Thank You For Your Attention!

Questions?