

District Correlation Meeting
November 3, 2011

FSIS Notice 54-11

Food Safety and Inspection Service (FSIS)



Ingredient Labeling and Allergen Statements

- Agency regulations require all ingredients to be declared in descending order of predominance in the ingredients statement (composite or component listing)
- Food Allergen Labeling and Consumer Protection Act (FALCPA) did not amend the FMIA, PPIA, and EPIA
- FSIS supports voluntary use of allergen statements, e.g., “contains: soy”
[http://www.fsis.usda.gov/Regulations & Policies/Labeling Allergens/index.asp](http://www.fsis.usda.gov/Regulations%20&%20Policies/Labeling%20Allergens/index.asp)
- LPDD evaluates “may contain” type statements on a case by case basis

Misbranding, Adulteration, and Product Recalls

- Common reasons for misbranded meat and poultry products include:
 - misformulation (e.g., using a formula that does not match the ingredients statement);
 - the use of a new component (e.g., seasoning mix) that is not reflected on the finished product label;
 - the application of the wrong final label; or
 - through cross contamination from a failure to follow established production procedures or sanitation SOPs

Misbranding, Adulteration, and Product Recalls (Cont.)

- A product may become adulterated because of misbranding, particularly when the “big eight” allergens are involved
- Situations involving the non-declaration of the “big eight” allergens can result in a Class I or Class II recall
- These recalls for undeclared allergens reflect potential public health hazards



FSIS Notice 35-11

- Issued in July in response to increased numbers of recalls because of undeclared ingredients
- Instructed Inspection Program Personnel (IPP) to hold a meeting with establishment management and discuss:
 - rising public health concern related to the use and labeling of meat, poultry, & eggs – especially the “big eight” allergens;
 - recent recalls of meat & poultry products with undeclared ingredients of public health concern (i.e. milk, egg, wheat, etc.); and
 - measures that establishments might use to limit the possibility of failing to declare an ingredient of public health concern or any other ingredient
- Identified that a 2nd notice with specific label verification activities would be published in the near future

FSIS Notice 54-11

- Second FSIS notice that provided IPP with label verification procedures
- IPP will verify ingredients used in product formulations are declared in ingredients statement on final product labels (Section III. A. 3.; III. B. for egg products)
- Instructs IPP at meat and poultry establishments to verify the control procedures an establishment uses for ingredients of public health concern and to verify that the establishment has addressed any chemical food safety hazard in its hazard analysis (Section III. A.)

Chemical Food Safety Hazard

- Noncompliance when a meat or poultry establishment:
 - fails to address chemical food safety hazards in its process (Section III. D.);
 - fails to implement Sanitation SOP or other prerequisite program to support decision that a chemical food safety hazard is not likely to occur (Section III. E.);
 - does not have documentation on file to support decisions made in hazard analysis for hazards that are reasonably likely to occur (Section III. F.)

Ingredient Declaration

“May Contain” Type Statements

- Explained Agency’s position on carrying through “may contain” type statements from incoming product labels to final labels (Section II. D.)
- Statement not required to be carried through *provided* the establishment contacts supplier and: (1) confirms, preferably in writing, that the statement is a cautionary statement, and no such ingredient is in the product; and (2) includes a written statement in its hazard analysis documentation to support why the “may contain” or “produced in a facility” statement is not carried forward to the finished meat or poultry product label

Questions?