



Constituent Update

Protecting Public Health Through Food Safety and Food Defense

FSIS Notice 13-11 Producer Information

Due to increased stakeholder interest in FSIS Notice 13-11 Producer Information, the *askFSIS* Q&A in its entirety is below.

AskFSIS is a web-based technology and policy question-and-answer forum on topics such as exporting, labeling, inspection, programs and procedures.

In addition, *askFSIS* offers Really Simple Syndication (RSS) feeds that link back to the Q&As. Visit askfsis.custhelp.com/ to see other recently posted topics.

QUESTION: If an establishment cannot provide producer information for the animals they have purchased, can the establishment support their hazard analysis in other ways to demonstrate they are not receiving animals from producers who have been identified on the Same Source Supplier-Residue Violator List?

ANSWER: Yes, if the establishment cannot provide producer information for the animals they have purchased, the establishment can use other support that it is not receiving animals from producers who have been identified on the Same Source Supplier-Residue Violators List at www.fsis.usda.gov/Science/Chemistry/index.asp. In lieu of producer information, they can obtain a letter or some type of certification from the seller or livestock market or auction that demonstrates that the animals in question are not from a supplier who is shown as having had more than one residue violation in the last 12 months on the most recently posted Same Source Supplier-Residue Violator List. FSIS will allow establishments time, up until May 1, 2011, to make any modifications to their food safety system so that they are able to provide this type of supporting information to inspection program personnel (IPP) before the IPP increase testing to more than two animals per lot. The letter or certification from the seller, livestock market or auc-

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Export Requirement Updates



The Library of Export Requirements has been updated to reflect changes in export requirements for the following countries:

Canada

Japan

New Zealand

Sri Lanka

United Arab Emirates

Vietnam

Complete information can be found at www.fsis.usda.gov/Regulations_&_Policies/Export_Information/index.asp.

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tion can serve as supporting documentation as required by 9 CFR 417.5(a)(1) that they have addressed the hazard identified in their hazard analysis per 9 CFR 417.2(a). FSIS expects, as it has since HACCP was implemented, that establishments will verify the ongoing effectiveness of their residue programs under HACCP per 9 CFR 417.4(a). If the establishment includes this information in a prerequisite program, IPP will verify that the program is working as designed, as instructed in FSIS Directive 5000.1, Verifying an Establishment's Food Safety System. Establishments with supporting documentation in the form of letters from livestock markets and auctions who are found to receive violative animals from any supplier with more than one violation in the last 12 months will be required to follow corrective action requirements in 9 CFR 417.3(a) if addressed in their HACCP plan, or under 9 CFR 417.3(b) if under a prerequisite program.

Ideally, the letter or certification from the supplier, livestock market or auction should cover the animals in question on a lot by lot basis and demonstrate that the person issuing the letter or certification has reviewed the most recently posted (e.g., by stating the date of the supplier list) Same Source Supplier-Residue Violator List on the FSIS website and determined that none of the animals in the lot came from suppliers with more than one violation in the last 12 months. Other letters or supporting information that demonstrate an ongoing, affirmative determination that the supplying livestock market does not purchase any livestock on the most current repeat supplier list may also suffice. An annual letter of guarantee or other non-specific supporting documentation would likely not provide sufficient support for the establishments hazard analysis decisions.

Updates on FSIS Testing for *E. coli*

Weekly updates for the agency's raw beef *E. coli* sampling program are posted to the FSIS website.

For comparative previous and current year results, go to www.fsis.usda.gov/Science/Ground_Beef_E.coli_Testing_Results/index.asp.

FSIS Frontline News **Debuts with Video** **About PHIS**

We are proud to present *FSIS Frontline News*, a news program that will bring you up to speed on agency events and hot topics. Check out our first video, featuring an interview with Administrator Al Almanza and OFO Assistant Administrator Dr. Kenneth Petersen about the Public Health Information System (PHIS). To view the video, go to www.fsis.usda.gov/News_&_Events/Frontline_News/index.asp.

More information about the dynamic, user-friendly data analytics system, called PHIS, is available at <http://www.fsis.usda.gov/PHIS/index.asp>, including two videos about the import/export component and the predictive analytics component.

FSIS is developing PHIS as an effort to collect, consolidate and analyze data. This public health-based approach is in line with the core principles of the President's Food Safety Working Group.

PHIS Launches to **First Phase of FSIS Circuits**

On Monday, April 11, FSIS launched the Public Health Information System (PHIS) to 42 circuits across the country as part of the first phase of implementation. This dynamic, web-based, data-driven inspection system automates and integrates many of FSIS' legacy systems and enables the agency to better protect consumers from foodborne illnesses and keep harmful products out of commerce.

"The launch of PHIS is a historic occasion for FSIS, as the system will significantly improve the way we detect and respond to foodborne hazards, moving the agency to a 21st century food safety system," said FSIS Administrator Al Almanza.

In the last month, inspectors have begun attending training sessions in three locations: Burbank, Dallas, and Philadelphia. They are receiving hands-on instruction on how to use the system, and trainers are standing by to answer any questions they might have.

"I found the PHIS training very informative," said Minneapolis District Manager Dr. Phyllis Adams. "Our instructors were knowledgeable and well prepared to guide us through the discussion and hands-on aspects of the class. The class participants were fully engaged and positive about the new system."

PHIS will continue to be implemented in phases, with the domestic component launching first. The import/export component will follow, while the predictive analytics component will launch simultaneously.

If you would like to know more about PHIS, several resources are available at www.fsis.usda.gov/PHIS/index.asp, including interviews on the topic with Al Almanza and Dr. Kenneth Petersen, the assistant administrator for the Office of Field Operations; videos explaining each component; factsheets; presentations and articles. Keep reading the *Constituent Update* for more information on PHIS.

USDA Announces Public Meeting and Seeks Comments on Positions of Food Labeling

The Office of Food Safety announced this week that a public meeting of the Codex Committee on Food Labeling (CCFL) of the Codex Alimentarius Commission (Codex) will take place on April 25 from 2 to 5 p.m. at USDA headquarters, Room 107-A, Whitten Building, 1400 Independence Ave., SW, in Washington, D.C.

The goal of the meeting is to provide information, receive public comments on agenda items and draft U.S. positions that will be discussed at the 39th Session of the CCFL that will be held in Quebec, Canada, May 9-13.

To participate in the meeting via teleconference, call (888) 858-2144 and enter the pass-code 6208658. Documents related to the 39th Session of CCFL will be accessible at www.codexalimentarius.net/current.asp.

To access the meeting agenda, submit written comments electronically or request copies of documents, contact Doreen Chen-Moulec at: U.S. Codex Office, 1400 Independence Ave., SW, Room 4861, Washington, D.C. 20205; (202) 205-7760; or doreen.chen-moulec@fsis.usda.gov.

USDA Announces Proposed Test and Hold Requirement for Meat and Poultry Products

Last week, Secretary of Agriculture Tom Vilsack proposed a new requirement for the meat and poultry industry that, once enacted, will reduce the amount of unsafe food that reaches store shelves.

The proposed rule would allow FSIS to hold products from commerce until FSIS test results for harmful substances are received. Currently, when the agency collects a sample for testing, the sampled products are requested, but are not required to be held until test results are known. The agency believes that this requirement will substantially reduce serious recalls for meat and poultry products.

“While many establishments have similar policies already in place, this proposed requirement will allow government to provide an additional safeguard to ensure food safety,” said Vilsack. “Meat and poultry products will be prevented from reaching consumers until our inspectors have the opportunity to thoroughly evaluate test results.”

FSIS inspects billions of pounds of meat, poultry and processed egg products annually and believes that 44 of the most serious recalls between 2007 and 2009 could have been prevented if this procedure had been in place.

“By testing and holding at U.S. points-of-entry, FSIS also will strengthen safety efforts focused on imported food—offering an additional safeguard to American consumers,” said Under Secretary for Food Safety Dr. Elisabeth Hagen.

To view the proposed requirement, visit www.fsis.usda.gov/OPPDE/rdad/FRPubs/2005-0044.pdf.

FSIS invites public comment on this proposed change in policy and procedures. Comments may be submitted through the Federal *eRulemaking* Portal at www.regulations.gov or to USDA, FSIS Docket Clerk, Room 2-2127, George Washington Carver Center, 5601 Sunnyside Ave., Mailstop 5272, Beltsville, MD 20705.

The notice was published in the *Federal Register* on April 11. Comments are due by Monday, July 11 and must identify docket number FSIS-2006-0044.

USDA Meat and Poultry Hotline

Food safety experts are available year-round from 10 a.m. to 4 p.m. ET to answer questions in English and Spanish about safely preparing and cooking foods.

The toll-free number is 1-888-MPHotline (1-888-674-6854). Recorded messages are available 24 hours a day.

FSIS and Twitter: Over 100K and Counting

FSIS' Twitter handle, @USDAFoodSafety, has over 100,000 followers.

Are you one of them? If not, sign up to find food safety information, along with tips and resources to keep consumers and other interested groups informed of the latest agency news and events.

Receive recall notifications and updates, seasonal food safety advice and FSIS news at [Twitter.com/USDAFoodSafety](https://twitter.com/USDAFoodSafety). Tweets are also available in Spanish at twitter.com/USDAFoodSafe_es.

OPHS Scientist Authors Groundbreaking Article in the Genetic Toxicity Field

A cadre of researchers across government, academia and industry take on complex studies to answer what seem like simple questions. What pathogens and chemicals in food are harmful to human health? At what level? And given what we know, what strategies and interventions can we use to prevent them?

Recently, OPHS Scientific Advisor for Risk Assessment Dr. Kerry Dearfield was the lead author for a groundbreaking publication that will help regulatory agencies like FDA and EPA set limits and develop policies for substances or agents that have been shown, through *in vitro* tests, to cause genetic damage to living cells. This damage can lead to diseases in humans, such as cancer and birth defects. FSIS relies on these scientific analyses to determine whether, and above what level, these substances or agents are adulterants in food.

As co-chair of a project committee for the International Life Sciences Institute's Health and Environmental Sciences Institute, Dearfield led a team of nearly 20 researchers from federal agencies and private company research arms in a multi-year effort to develop a six-step "decision process" after *in vitro* tests return positive results, indicating genetic damage. Policymakers can use this framework to make better, more standardized decisions to protect public health.

The article, "Follow-Up Actions from Positive Results of *In Vitro* Genetic Toxicity Testing," was such a breakthrough for the field of genetic toxicity that it was recently chosen as Editor's Choice for the scholarly journal, *Environmental and Molecular Mutagenesis*. It will be featured on the Environmental Mutagen Society website and was heralded as a must-read for anyone working in the field of genetic toxicity.

The issue of developing a consistent, transparent decision process about what to do when confronted with positive *in vitro* test results has been debated among genetic toxicologists for decades. Now, with the help of one of FSIS' own, decision makers have a clearer path ahead.

To read the full article, visit <http://onlinelibrary.wiley.com/doi/10.1002/em.20617/abstract>.

FSIS Policy Updates

FSIS issues notices and directives to protect public health. The following policy updates were recently issued:

- **Notice 14-11**, *Inspection Responsibilities When a Chemical Residue Does Not Have an Established Tolerance*
- **Notice 16-11**, *Certification of Imported Products from Brazil*
- **Notice 17-11**, *Public Health Information System (PHIS) Transition*
- **Notice 18-11**, *Managing Sample Collection When Operating the Public Health Information System (PHIS) in the Disconnected State*
- **PHIS Directives**, http://www.fsis.usda.gov/regulations_&_policies/PHIS_Directives/index.asp
- **Directive 7120.1 - Revision 6**, *Safe and Suitable Ingredients Used in the Production of Meat, Poultry and Egg Products*

All notices and directives are available at www.fsis.usda.gov/Regulations_&_Policies/index.asp.

Final Calendar Year 2010 *Salmonella* Set Results for Young Chickens and Young Turkeys

As reported in the Dec. 17, 2010, issue of the *Constituent Update*, the President's Food Safety Working Group (FSWG) charged FSIS with developing new standards for chilled poultry carcasses to reduce the prevalence of *Salmonella*. The agency has published a *Federal Register* notice on implementing these new standards.

Though the standards were not formally in effect in 2010, FSIS has been measuring poultry industry performance to see what percentage of establishments would have met the standards for 2010 had they been in effect. FSIS counted completed sample sets that started no later than Dec. 31, 2010, and completed no later than March 31, 2011.

As of March 31, 2011, 87.3 percent of young chicken and 93.9 percent of young turkey slaughter establishments would have met the new standard for 2010. FSIS will continue to monitor industry performance as measured by the now official standards and provide periodic progress reports through FSIS' *Constituent Update* and more frequent updates on the FSIS website.

The FSWG set a goal for 90 percent of poultry slaughter establishments to meet these new standards by the end of calendar year (CY) 2010 (www.foodsafetyworkinggroup.gov/FSWG_Key_Findings.pdf). The agency will consider a higher goal after a 5-year cycle.

The agency encourages the poultry industry to continue efforts to reduce *Salmonella* contamination in poultry products. During CY2011, FSIS will focus on reducing the relatively high positive rate in "comminuted" poultry products (poultry processed mechanically to reduce particle size). FSIS encourages the meat industry to take further steps to reduce *Salmonella* in raw classes of meat.