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FSIS Report Reviews PR/HACCP Systems Final Rule

On August 31, FSIS issued a report reviewing the Pathogen Reduction/Hazard Analysis and Critical Control Point (PR/HACCP) Systems Final Rule to determine whether it should be continued without change, amended or rescinded. This landmark rule, issued by FSIS on July 25, 1996, focuses on prevention and reduction of microbial pathogens on raw products and applies to approximately 6,500 federally inspected and 2,550 state-inspected meat and poultry slaughter and processing plants in the United States. This review was conducted as a result of Section 610 of the Regulatory Flexibility Act (RFA) which requires all federal agencies to review any provision which has a significant impact upon a substantial number of small businesses or groups. It requires that reviews be conducted within 10 years of the implementation of a significant rule. In February 2005, FSIS assembled a team to conduct a review of regulations implemented by the PR/HACCP rule examining a number of factors specified by Section 610 of the RFA as well as the economic impact on the meat and poultry industries. In August 2005, the agency published a *Federal Register* Notice requesting comments from the public on the impact of the PR/HACCP rule as well as the relevant factors noted in Section 610 of the RFA. Additionally, FSIS conducted a survey of nine small and very small meat and poultry establishments to ensure receipt of comments from small and very small businesses affected by this rule. The report revealed that meat and poultry plants have made significant investments to comply with the PR/HACCP rule and that FSIS has provided and continues to provide extensive technical assistance to plants through a variety of mechanisms. For the future, the agency will work towards implementing the recommendations of the *ad hoc* task force in the FSIS Strategic Implementation Plan for Strengthening Small and Very Small Plant Outreach and continue to strengthen its HACCP program and pathogen reduction efforts. The report is available at www.fsis.usda.gov/regulations_&_policies/2007_Proposed_Rules_Index/index.asp.

FSIS Issues Directive on Exported, Returned Products

On September 5, 2007, USDA's Food Safety and Inspection Service (FSIS) issued FSIS Directive 9010.1, Revision 1: United States Exported and Returned Products. This directive provides instructions, procedures, and forms for FSIS personnel to follow when meat, poultry, and egg products bearing the mark of inspection are exported from and then returned to the United States. As per FSIS regulations, meat, poultry, and egg products that have been exported from and then returned to the U.S. are exempt from FSIS import requirements. Depending on the returned product and its condition, the FSIS Office of International Affairs (OIA) may approve or refuse the returned product entry into the United States. Additionally, OIA has the option of deferring its decision until the returned product has been re-inspected at a federally-inspected facility. Factors OIA considers in making these decisions include: whether the returned product is safe and unadulterated; the condition of the returned product; and the conditions under which the returned product has been held. This directive also announces the issuance and use of two new FSIS Forms, 9010-1, Application for the Return of Exported Products to the United States, and 9010-2, U.S. Exported and Returned Product Facility for Reinspection Concurrence, to be completed by the returned product's owner or agent for determining approval for entry, reinspection, or release into commerce. For a detailed summary of this Directive by SMA legal counsel, Olsson, Frank and Weeda, P.C., email phyllis@southwestmeat.org. The Directive is available at: www.fsis.usda.gov/OPPDE/rdad/FSISDirectives/9010.1Rev1.pdf.

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FSIS Updates Directives

FSIS issued new updates on the following directives: Directive 8010.1 Revision 1 - Methodology For Conducting In-Commerce Surveillance Activities; Directive 8010.2 Revision 1 - Investigative Methodology; Directive 8010.3 Revision 1 - Procedure for Evidence Collection Safeguarding and Disposal; Directive 8010.4 Revision 1 - Report Of Investigation; and Directive 8010.5 Revision 1 - Case Referral and Disposition. These directives provide instructions to investigators in FSIS' Office of Program Evaluation, Enforcement and Review, Compliance and Investigations Division, on the methodology that should be used when conducting in-commerce surveillance activities of establishments, firms or corporations who are subject to the provisions of the Federal Meat Inspection Act (FMIA), the Poultry Products Inspection Act (PPIA) or the Egg Products Inspection Act (EPIA). The agency also revised Directive 8410.1 Revision 4 - Detention and Seizure. This directive provides procedures which agency personnel are to follow when preparing a recommendation for seizure or detainment of meat, poultry or egg products found in commerce which is suspected to be adulterated, misbranded or otherwise in violation of the FMIA, PPIA or EPIA. These directives can be viewed at www.fsis.usda.gov/Regulations_&_Policies/regulations_directives_&_notices/index.asp.



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Briefly . . .

Harris Named Director of TAMU Center for Food Safety: Dr. Kerri B. Harris has been named the new director of Texas A&M University's Center for Food Safety. She is currently an associate professor in the department of animal science, as well as the President and CEO of the International HACCP Alliance. Harris earned the position by demonstrating her ability to manage people, work across many disciplines, and successfully conduct outreach and training activities within both the public and private sectors. She said that her initial goals for the Center are to pursue more funding for projects and training efforts, increase publicity of current food safety accomplishments, and strengthen relationships between government agencies and those involved in food safety. TAMU's Center for Food Safety is located within the department of animal science and hopes to broaden food safety activities as well as improve public knowledge of the various food safety activities on campus.

Jones Retires from USDA: Richard R. "Rick" Jones recently announced that, effective October 1, he will retire from USDA's Meat Grading & Certification Branch. A Kansas native, Rick joined the Meat Grading and Certification (MGC) Branch in 1977 as journeyman Agricultural Commodity Meat Grader in Wichita. He was promoted to a Supervisory Meat Grader in 1980, to an Agricultural Marketing Specialist position with the

Standardization and Review Branch in Washington, DC, in 1984, and promoted to a Review Specialist in 1985. Rick took a voluntary grade reduction and relocated to the MGC Des Moines, IA, area office as Area Supervisor in 1994 and in 1996, he was promoted to a Deputy Director position in Denver, CO. He was reassigned to the Grading and Certification Director position in Lakewood, CO, in 2004. During his USDA career, Rick has developed many personal relationships with associates and colleagues within the meat and livestock industry. He has played a key roll in the selection and training of many college students and employees within the MGC Branch and has received numerous awards and recognition for superior service while with the USDA. Congratulations, Rick, and best of luck to you and April in your future adventures!

FSIS Offers SRM Workshop: FSIS will offer a workshop September 15, 2007, from 9 to 11 AM, to review the regulation on the Prohibition of the Use of Specified Risk Materials for Human Food and Requirements for the Disposition of Non-Ambulatory Disabled Cattle. The workshop will be held at the Hyatt Regency O'Hare, 9300 West Bryn Mawr Avenue, in Rosemont, Illinois. For directions to the hotel, please call 847-663-4446. Participants are encouraged to pre-register for the workshop through the Meetings and Events section of the FSIS website at www.fsis.usda.gov/News_&_Events/Outreach_Sessions_SVS_Plants/index.asp. A copy of the final SRM rule is posted at www.fsis.usda.gov/regulations_&_policies/2007_Interim_&_Final_Rules_Index/index.asp.

USDA Extends Comment Period for LMR Program: USDA's Agricultural Marketing Service (AMS) is extending the comment period on the proposed rule for the Livestock Mandatory Reporting (LMR) program. The September 7, 2007, deadline has been extended to September 24, 2007. "We are extending the comment period to ensure that all those wishing to comment have the opportunity to do so," said AMS Administrator Lloyd Day. "We strongly encourage all interested parties to submit comments." Comments may be submitted on the Internet at: www.regulations.gov.

FSIS Ramps Up Sampling: According to a report in *meatingplace.com*, FSIS will increase follow-up testing and food safety assessments at ground beef production plants after a spike in *E. coli* O157:H7 recalls during June and July. Dr. Kenneth Petersen, FSIS assistant administrator to the Office of Field Operations, said in an interview that routine inspections have turned up 16 positives for *E. coli* as of July 31, compared to 20 positives during all of 2006. The agency will increase its follow-up efforts when a plant tests positive for *E. coli* and intends to increase random testing for *Listeria monocytogenes* at plants that make ready-to-eat meat products. (Janie Gabbett, *meatingplace.com*, 9/5/07)