



May 29, 2012

Docket Clerk
U.S. Department of Agriculture
Food Safety and Inspection Service
Patriots Plaza 3
355 E. Street, SW
8-163A, Mailstop 3782
Washington, DC 20250-3700

Re: Docket No. FSIS-2011-0012; Modernization of Poultry Slaughter Inspection

To Whom It May Concern:

The American Meat Institute (AMI) is the nation's oldest packing and processing industry trade association. AMI members slaughter and process more than 90 percent of the nation's beef, pork, lamb, veal, and a majority of the turkey produced in the United States. Many of our members also operate chicken harvest facilities and approximately 80 percent of AMI member companies are classified as small or very small according to Small Business Administration standards.

The safety of the meat and poultry products AMI members produce is their top priority. AMI members have implemented many food safety processes and procedures that go beyond current FSIS regulations to ensure the meat and poultry products they produce are safe, wholesome, affordable, and available.

AMI has a history of supporting science-based manufacturing practices that have been shown to improve food safety. Support of the Modernization of Poultry Slaughter Inspection proposed rule (MPSI or the proposal) is no different. The process that Food Safety and Inspection Service (FSIS or the agency) has used to develop the proposal including collecting data over a 10-year time period, then publishing the proposal for comment cannot be faulted.

AMI appreciates the opportunity to comment on the proposal. There are points that AMI would like to address for clarification and others that provide possible alternative solutions for implementation of the proposal. Some comments are based on lessons learned from the successful evolution of beef food safety that has taken place over the last 15 years and others come from members that currently operate market hog HIMP facilities. Hopefully, these comments can be used constructively to modernize the slaughter inspection of all species.

Some stakeholders have commented publicly that rules that currently impact meat and poultry inspection have not been changed since 1906. Although such comments make for a nice sound bite and can serve as a lightning rod for controversy, they conveniently ignore the multiple amendments to the Federal Meat Inspection Act and the Poultry Products Inspection Act that Congress has enacted over the years. Hopefully, comments submitted to FSIS can focus on the science of food safety and the establishment of prudent regulations that can realistically improve public health rather than simply posturing for some other purpose.

The Proposal Will Be Part of a Comprehensive Food Safety Program

The proposal should be considered a part of a comprehensive food safety program that includes the recently implemented Public Health Information System (PHIS)¹ and performance standards² for *Salmonella* and *Campylobacter* in broilers and turkeys. These programs provide additional regulatory oversight and support for the safety of poultry products, which did not exist two years ago. Although these comments are specific to the MPSI, the proposal should not be considered separate and apart from other regulatory food safety programs.

The beef industry has developed a multiple hurdle approach, using more than one intervention in a process, to address pathogen intervention application. Applying this concept to the proposal, MPSI is part of a *multi-hurdle* approach to regulatory enforcement. Because of these recent regulations, consumer confidence in products produced by the poultry industry and regulated by FSIS should remain high during implementation of this proposal and comment period.

Implementation Plans for the MPSI Should be Communicated to the Industry

When significant regulatory programs are implemented, the industry tries to anticipate the impact of the regulation in order to determine if capital expenditures for facility expansion or redesign and employee related issues, such as specialized training or additional employment opportunities are needed. Recent examples of regulatory programs where the agency provided opportunities for listening sessions and or roundtables were the implementation of HACCP and more recently PHIS. As evidenced by Administrator Almanza's "*Setting the Record Straight on the Proposed Chicken Inspection Rule*"³ there exist numerous misconceptions about MPSI. Opportunities to discuss industry issues and possible misconceptions could strengthen the chances of successfully implementing the proposed rule. Possible points of discussion include the following.

¹ Public Health Information System Resources: <http://www.fsis.usda.gov/phis/>

² The agency announced its intention to set new performance standards for *Salmonella* and *Campylobacter* in young chicken and turkey chilled carcasses in a *Federal Register* Notice in May 2010. In a follow-up *Federal Register* Notice in March 2011, the agency announced implementation of the new standards for July 2011. These new performance standards were developed using by data collected during the agency's Nationwide Microbiological Baseline Data Collection Programs: The Young Chicken Baseline Survey (YCBS) of 2007-2008, and the Young Turkey Baseline Survey (YTBS) of 2008-2009.

³ This article was published April 13, 2012 by HuffingtonPost.com.

- FSIS should implement plans that are establishment specific based on the systems, methods of processing, and supply considerations of that establishment.
- The industry should be offered the ability to understand pre-implementation strategies that are supported by the agency. In some cases manufacturing operations will be reconfigured and a sizable amount of capital will be spent. The industry cannot afford unnecessary capital expenditures because of a failure to communicate agency expectations. An example of a pre-implementation strategy was the generic HACCP model project completed by FSIS. A forward thinking process between the industry and FSIS should create a better understanding of the expectations of the proposal.
- The agency should make available to the industry an experienced group of experts to address key issues during the implementation of any final rule that is promulgated. The group would be focused on responding to facility and inspectors concerns. This approach is similar to the agency's Small Plant Hotline. Although askFSIS is considered a recommended method of communication there are times that real time communication is preferred and needed. Repetitive issues could be posted on askFSIS to provide consistent communication.
- Location of sampling sites should be based on worker and inspector safety, as well as the ability to collect meaningful data from a selected site. Not all establishments are the same and for that reason all sampling locations need not be the same. Sample site location should be designed to give the establishment the most meaningful data that can be used to make food safety and manufacturing decisions. Although the concept of same sample location would be ideal for FSIS to compare plants, it could also provide misleading information. In this case, wrong actions and changes to the process could be made; actions that could have a deleterious impact on food safety.
- Transition of agency tasks should be responsibly transferred to the establishments prior to implementing any final rule. Some of the training to be completed would relate to quality defects and disease conditions that will become the responsibility of the establishment. As referenced in the agency response to GAO on HIMP, a compliance guide describing these tasks would be developed by FSIS. In that regard, the compliance guide approach to training should be strengthened and at least equivalent to FSIS expectations of its inspection work force. Since noncompliance reports (NR) can be written by the agency when carcasses affected by septicemia and toxemia reach the online carcass inspection station, a rapid method of appeal should be in place. Proper training of establishment personnel becomes a key component to an effective transition of this process.

Operating Parameters Should Not Be Restrictive

The proposal states that there will be maximum line speed as measured by birds per minute. Although this could make sense in today's world of technology, placing a cap on line speed will stymie innovation. Many of these innovations could lead to more job opportunities in the rural communities where establishments are located. Also, with current technology if the process is determined to be capable of operating at a rate greater than the maximum stated line speed, what is the logic for not allowing the system to operate based on the capability of the process?

The Role of Off-Line Inspector Personnel

The role of off-line inspection personnel as proposed in the MPSI is unclear. The proposal provides that the inspector could write NRs and take corrective actions that include line stoppage. When warranted AMI does not disagree with this concept. However, the decision to take this type of action should be based on the output of the process and not individual process deviations that are designed to be corrected as part of the establishment's process control plan. Granted, if process design is changed and implemented without regard to impact on the final product then inspection personnel should take action. These types of situations should be addressed according to HACCP plans as part of reassessment. For example, AMI is aware that off-line inspectors are implementing sanitary dressing procedures directives for livestock that are specific task focused and do not focus on outcome of the process. This approach should not be followed in meat or in MPSI plants because it complicates the authority and intent of the HACCP rule and would be inconsistent with the principles underlying MPSI.

The agency supports increasing unscheduled off-line inspection tasks, citing a 2.5% projected reduction in *Salmonella* and 0.6% projected reduction in *Campylobacter* attributed illnesses. Specifically, the document states

“Moreover, the analysis in the risk assessment conducted by FSIS suggests a significant correlation between increased unscheduled offline inspection services and lower levels of *Salmonella* and *Campylobacter* in young chicken and turkey slaughter establishments. This analysis indicates that reallocating inspection resources currently dedicated to online inspection under the existing inspection systems to offline, food safety related inspection activities, such as increased HACCP verification, sanitation SOP verification, pathogen sampling, and Food Safety Assessments, could potentially reduce pathogen levels. Additionally, FSIS could devote more resources to inspection activities that focus on the areas of greatest risk in the poultry production system if establishments were required to assume greater responsibility for monitoring compliance with trim and dressing.

In answer to the second risk-management question, the lower prevalence of *Salmonella* and *Campylobacter* on poultry at establishments where additional unscheduled offline procedures were performed could lead to as many as 4286 fewer *Salmonella*-related illnesses and 986 fewer *Campylobacter*-related illnesses per year. FSIS has estimated that 174,686 expected annual *Salmonella* illnesses could be attributed to both young chicken and turkey consumption, and an estimated 169,005 expected annual *Campylobacter* illnesses attributable to young chicken or turkey consumption. Thus, a reduction of 4,286 expected *Salmonella* illnesses annually, reflects a 2.5% reduction in attributable illnesses. A reduction of 986 expected *Campylobacter* illnesses annually reflects a 0.6% reduction in attributable illnesses performance standards.”

Although thousands of expected illnesses were reduced due to unscheduled off-line inspection, it is unknown if the 2.5% reduction for *Salmonella* and 0.6% reduction for *Campylobacter* are statistically significant. An analysis of the NRs could in fact create a higher significance if specific issues were determined.

Conclusion

In general, the American Meat Institute supports new inspection methodology based on sound science. When inspections methods are changed AMI supports transition and implementation practices that are not disruptive to the industry while not compromising public health. AMI members remain committed to producing safe meat and poultry products, which allows consumers to feed family and friends with confidence. AMI would be pleased to discuss these comments in greater detail at your convenience.

Respectfully submitted,



Scott J. Goltry
Vice President
Technical Services

cc: J. Patrick Boyle
Mark Dopp
Jim Hodges