



United States Department of Agriculture

One Team, One Purpose



# Food Safety and Inspection Service

Protecting Public Health and Preventing Foodborne Illness



# Food Safety and Inspection Service

## Food Safety and Inspection Service (FSIS) Retail Update October 2017

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# Food Safety and Inspection Service Overview

This presentation will cover:

- Retail *Listeria monocytogenes* (Lm) Surveillance
- Grinding Record Keeping Requirement
- Mechanically Tenderized Beef Labeling Requirement

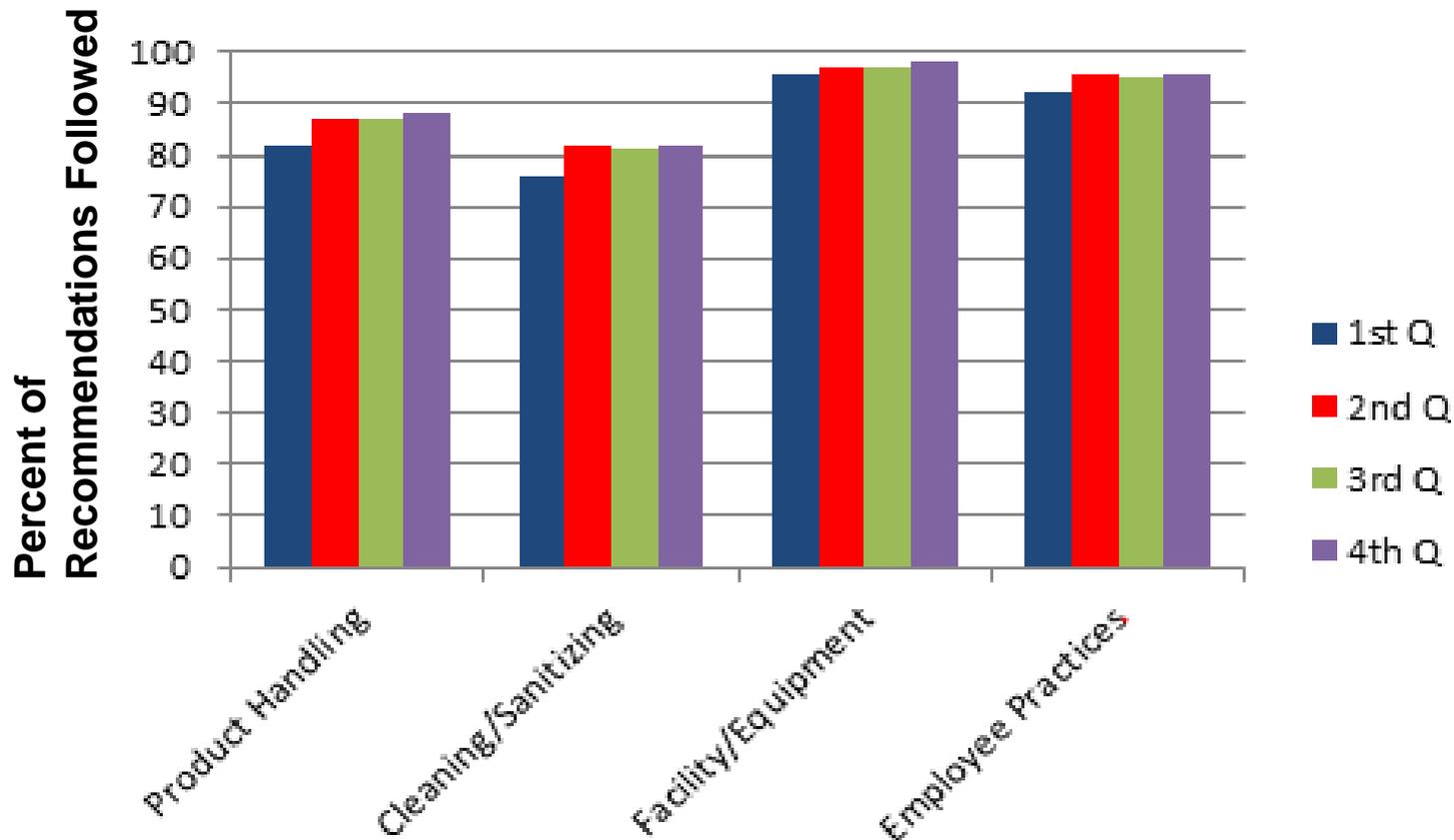
## Food Safety and Inspection Service

### Retail *Listeria monocytogenes* Update

- The week of Jan. 25, 2016, FSIS launched a year-long pilot project to assess whether retailers are using the recommendations from the June 2015 “[FSIS Best Practices Guidance for Controlling \*Listeria monocytogenes\* \(Lm\) in Retail Delicatessens](#),” (FSIS Retail *Lm* Guidance).
- During the year long pilot, FSIS tracked the percent of recommendations that retailers followed, in the following four categories:
  - Product handling
  - Cleaning and sanitizing
  - Facility and equipment controls
  - Employee practices
- Results were posted quarterly on the FSIS website.

# Food Safety and Inspection Service Pilot Project Results

Percent of Recommendations Retailers Followed  
(Jan. 25, 2016 – Dec. 31, 2016)



## Food Safety and Inspection Service

### Retail *Listeria monocytogenes* Update

- FSIS has decided to extend the pilot project until the end of Fiscal Year 2021 as part of the [FSIS Strategic Plan FY 2017-2021](#).
- Under the Strategic Plan, FSIS will track whether delicatessens (delis) are following eight of the most important recommended actions identified in the FSIS Retail *Lm* Guidance (see next slide).
- The eight most important recommended actions were selected because they were:
  - Found to significantly decrease the likelihood of illness (according to the Interagency Risk Assessment--*Listeria monocytogenes* in Retail Delicatessens ([Retail \*Lm\* Risk Assessment](#))),
  - Identified as [FDA Food Code](#) recommendations, or
  - Included in [FSIS Directive 8010.1](#), *Methodology for Conducting In-Commerce Surveillance Activities*.

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### Eight Most Important Recommendations

1. Eliminate visibly adulterated product present in the retail deli ([Directive 8010.1](#));
2. Refrigerate RTE meat or poultry products promptly after use ([Retail Lm Risk Assessment/FDA Food Code](#));
3. Do not prepare, hold, or store RTE meat or poultry products near or directly adjacent to raw products in the deli case or elsewhere in the deli area ([FDA Food Code](#));
4. Cover, wrap, or otherwise protect all opened RTE meat or poultry products when not in use to prevent cross-contamination ([FDA Food Code](#));
5. Ensure that insanitary conditions (e.g., flies, rodent droppings, mold, or dirty surfaces) are not present where RTE meat and poultry products are prepared, packed, and held ([Directive 8010.1](#));
6. Clean and sanitize equipment used to process RTE products at least every 4 hours ([Retail Lm Risk Assessment/FDA Food Code](#));
7. Eliminate facility conditions in the deli area or storage area that could cause the products to become adulterated ([FDA Food Code](#));
8. Ensure that deli employees handling RTE products wear disposable gloves ([Retail Lm Risk Assessment/FDA Food Code](#)).

# Food Safety and Inspection Service

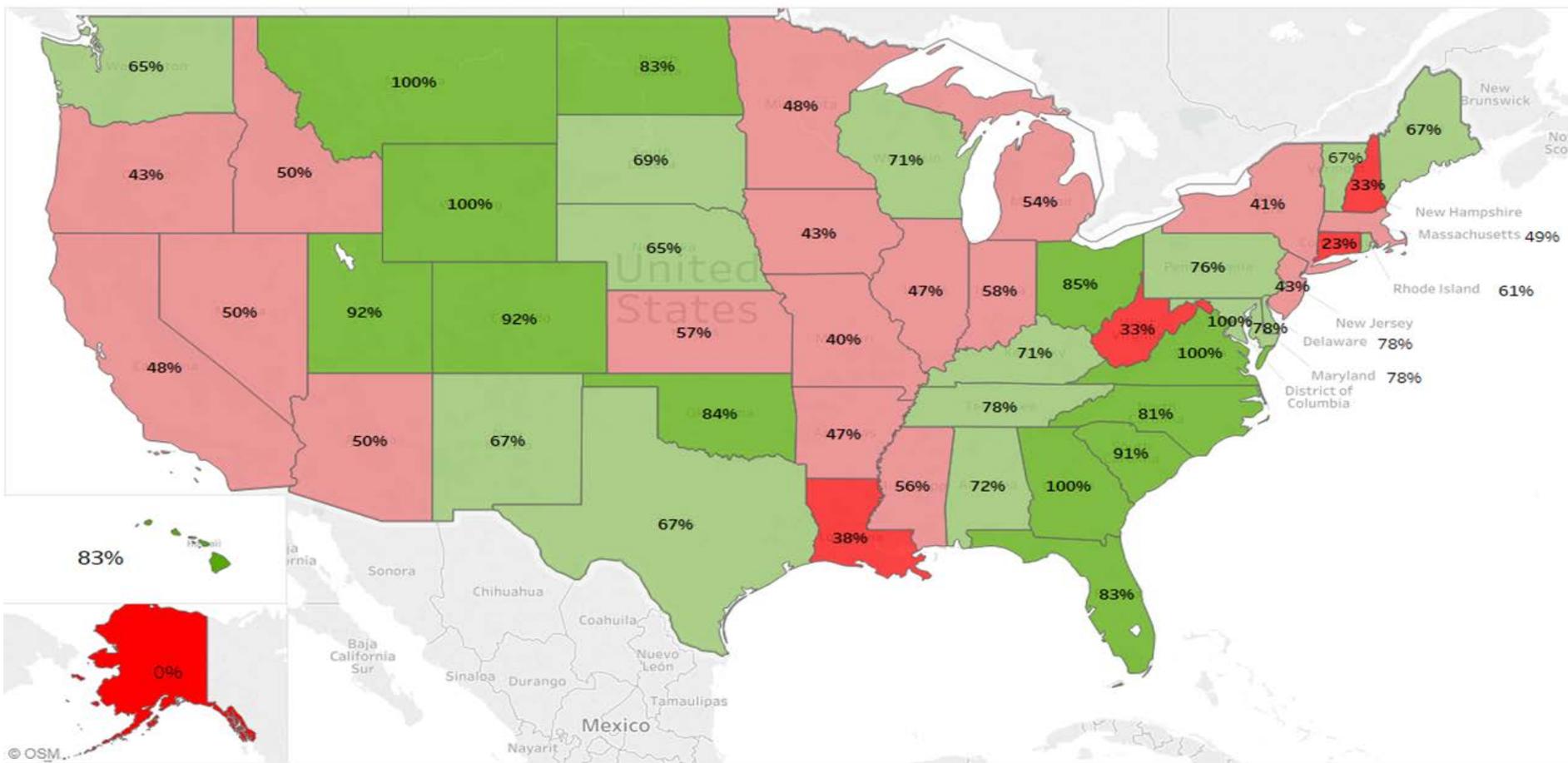
## Percentage of Delis Following All of the Top 8 Recommendations by Quarter



\* Preliminary data

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## Delis Following All of the Top 8 Recommendations by State



**Less than 40% of delis following all top 8 recommendations**

40 to 59% of delis following all top 8 recommendations

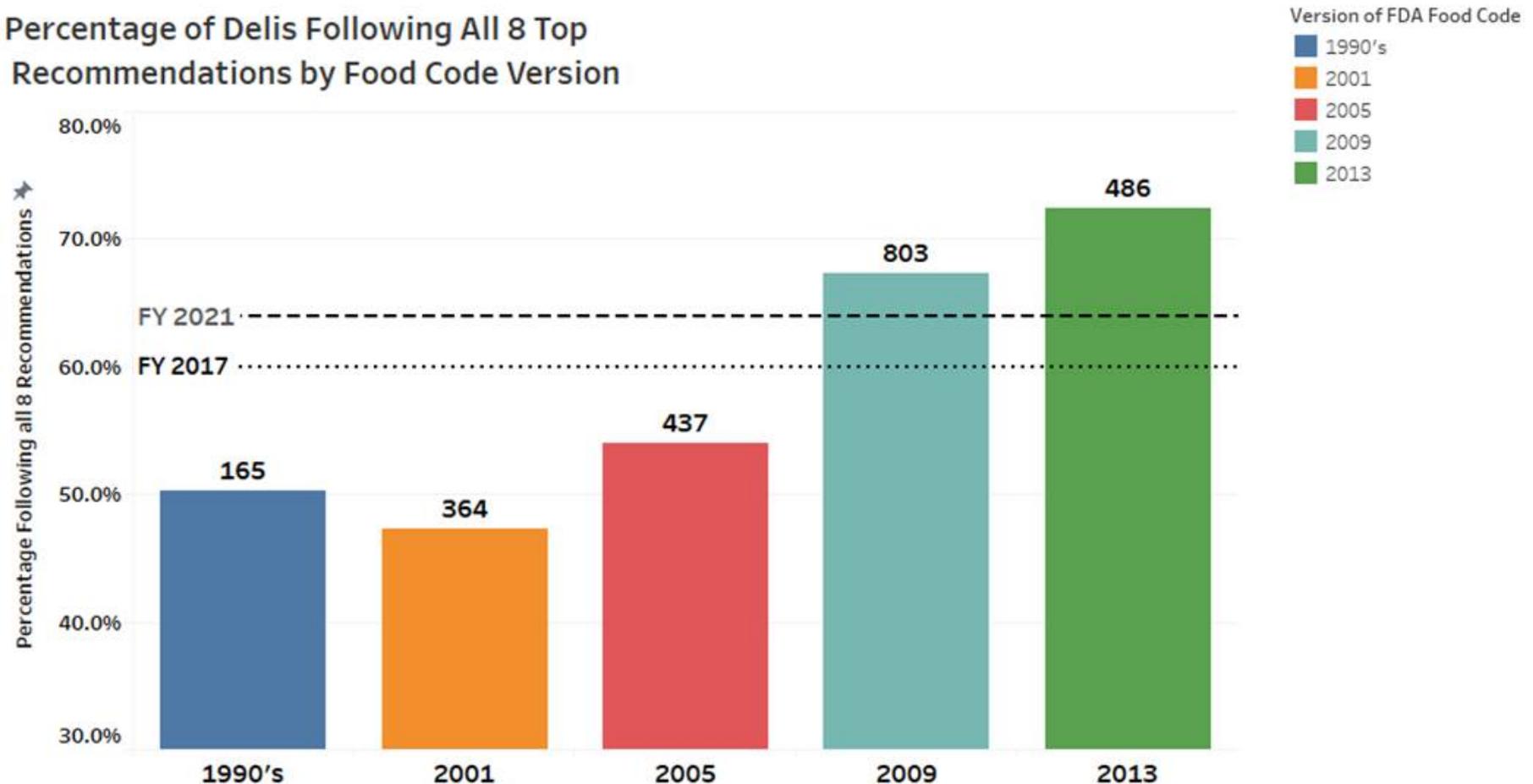
60 to 79% of delis following all top 8 recommendations

80% or more of delis following all top 8 recommendations

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## Delis Following all of the Recommendations by Food Code Version

Percentage of Delis Following All 8 Top Recommendations by Food Code Version

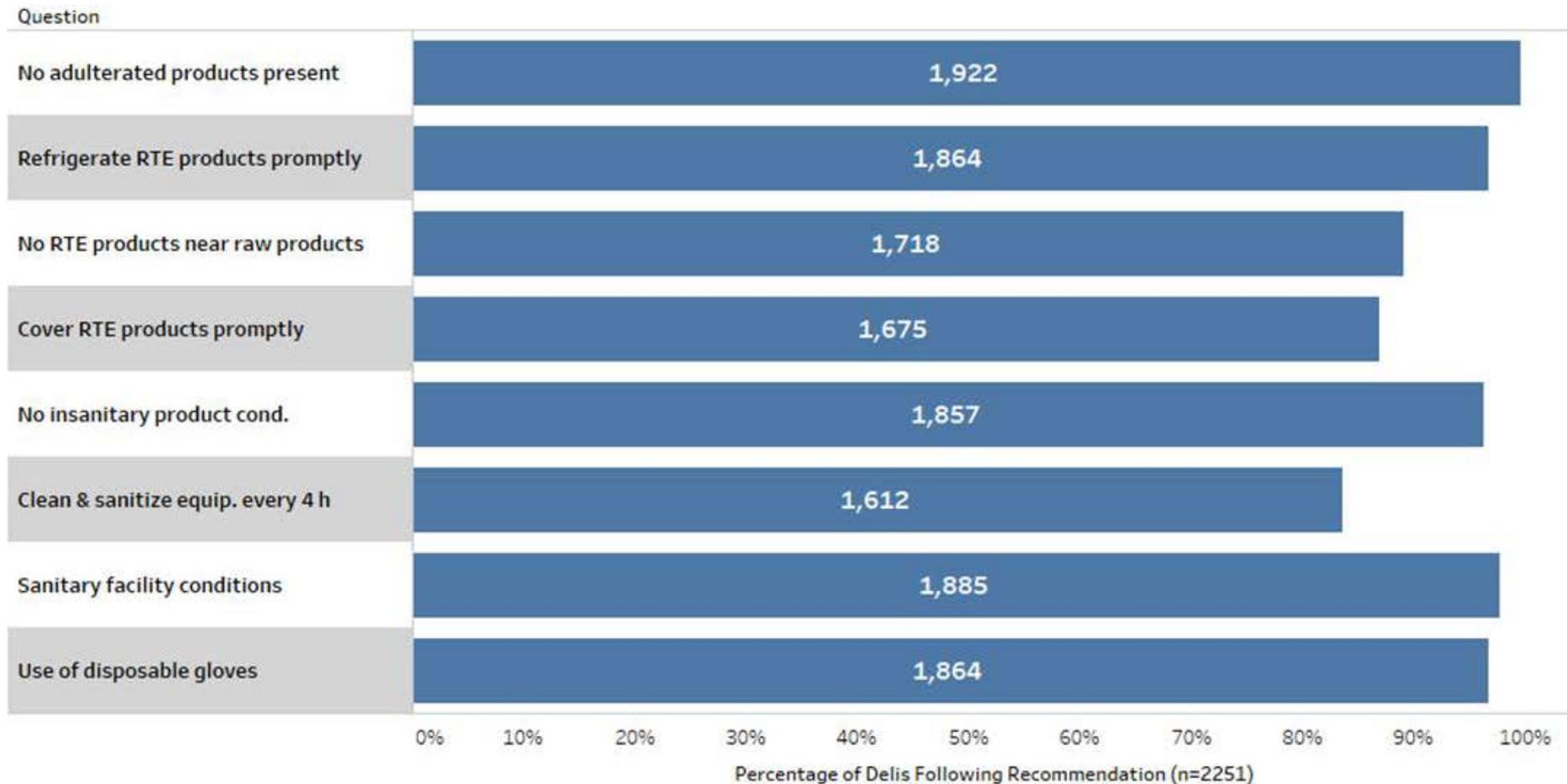


\* 1990's category includes the 1995, 1997 and 1999 versions of the FDA Food Code

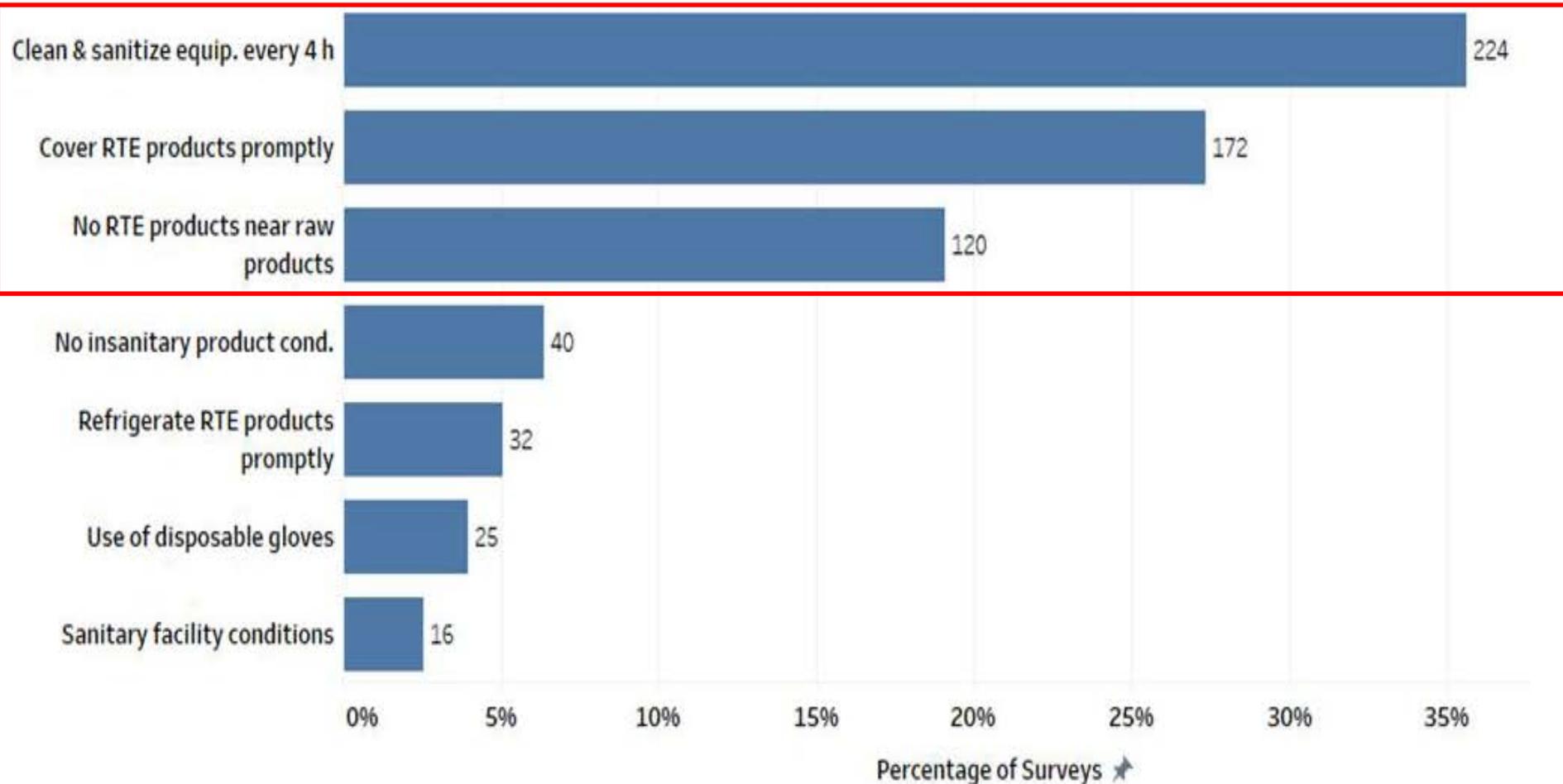
\* No Food Code Adopted = American Samoa and Northern Mariana Islands

# Food Safety and Inspection Service

## Percentage of Delis Following Individual Top 8 Recommendations (Jan 2016-May 2017)



# Food Safety and Inspection Service Recommendation That is Not Being Followed in Delis Following 7 out of 8 Recommendations



## Food Safety and Inspection Service

### Next Steps- Retail *Lm* Pilot Project

- FSIS plans to continue to analyze the data from the eight most important practices on a quarterly basis to identify areas to focus its outreach efforts.
- Based on the data analysis, FSIS plans to work with FDA and other public health partners to develop specific outreach materials (e.g., for slicer cleaning).
- FSIS also plans to focus its outreach efforts on retailers that have less access to guidance materials (e.g., independently owned stores, ethnic markets).
- By the end of FY 2021, FSIS expects that 64% of retailers will follow all eight of the recommended actions.
- FSIS will not perform sampling at retail delis for this project.

# Food Safety and Inspection Service

## Grinding Recordkeeping Requirements

### FSIS Rulemaking

- On **December 14, 2015**, FSIS published the final rule, “Records to be Kept by Official Establishment and Retail Stores That Grind Raw Beef Products.”
- The Rule became effective on June 20, 2016, and full enforcement started April 1, 2017.
- This rule is necessary to improve FSIS’s ability to accurately trace the source of foodborne illness outbreaks involving ground beef and to identify the source materials that may be attributable to these outbreaks.

## Food Safety and Inspection Service How is the Final Rule Enforced?

- In retail stores, FSIS' Office of Investigations, Enforcement and Audit (OIEA) Compliance Investigators verify compliance by following the instructions found in FSIS Directive 8010.1, *Methodology for Conducting In-Commerce Surveillance Activities*.
- In FSIS establishments, FSIS' Office of Field Operations (OFO) Consumer Safety Inspectors verify compliance (FSIS Notice 55-17).



**Food Safety and Inspection Service**  
**Grinding Record Keeping Requirements**

**Final Rule – (1) Mandatory – verified by inspection program personnel & in-commerce surveillance by compliance investigators**

**§ 320.1 Records to be kept.**

(b) \* \* \*

**Added (4)(i)** In the case of raw ground beef products, official establishments and retail stores are required to keep records that fully disclose:

- (A) The establishment numbers of the establishments supplying the materials used to prepare each lot of raw ground beef product,
- (B) All supplier lot numbers and production dates,
- (C) The names of the supplied materials, including beef components and any materials carried over from one production lot to the next,
- (D) The date and time each lot of raw ground beef product is produced, and
- (E) The date and time when grinding equipment and other related food-contact surfaces are cleaned and sanitized.

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## Record Keeping Example

<p>NEW WAVE STORE</p> <p>123 Main Street</p> <p>Anytown, USA, Zip Code</p> <p>FRESH GROUND BEEF PRODUCTION LOG/TRACKING LIST</p> <p>Employee Name _____ Today's Date _____</p>					
Date and Time of Grind	Manufacturer Name of Source Material Used for Product Produced	Supplier Lot #s, Product Code and/or Pack Date of Source Material Used	Est. Number(s) of Est. providing source material	Date and Time Grinder and Related FCSs Cleaned and Sanitized	Comments
<p>_____</p> <p>Signature of Store Management Reviewer <span style="float: right;">Date</span></p>					

# Food Safety and Inspection Service

## Final Rule: Descriptive Designation for Raw Meat and Poultry Products Containing Added Solutions

### FSIS Issues FINAL RULE



### FEDERAL REGISTER

Vol. 79      Wednesday,  
No. 250      December 31, 2014

*FSIS is amending its label regulations to require the use of a descriptive designation as part of the product name on the labels of raw meat and poultry products that contain added solutions and that do not meet a standard of identity (79 FR 79044).*

- The descriptive designation will have to include the percentage of added solution, and the individual ingredients or multi-ingredient components in the solution.
- The print for all words in the product name must appear in a single easy-to-read type style and color and on a single color contrasting background.

**Effective Date: January 1, 2016.**



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### Mechanically Tenderized Beef (MTB) Products

- In May 2015, FSIS published a final rule requiring that raw or partially cooked, needle- or blade-tenderized (mechanically tenderized) beef products bear certain labeling features (80 FR 28153). The rule became effective in May 2016.
- The Final Rule applies to retailers that:
  - Produce and package or repackage raw or partially cooked needle- or blade-tenderized raw beef products,
  - with the exception of products wrapped in butcher paper or placed in a carry-out container at a retail store upon a consumer’s request (FSIS Notice 33-17).
- Requirements:
  - Requires the descriptive designation “mechanically tenderized,” “blade tenderized,” or “needle tenderized” on the labels unless the products are destined to be fully cooked at an official establishment.
  - Requires that validated cooking instructions are included on the label.



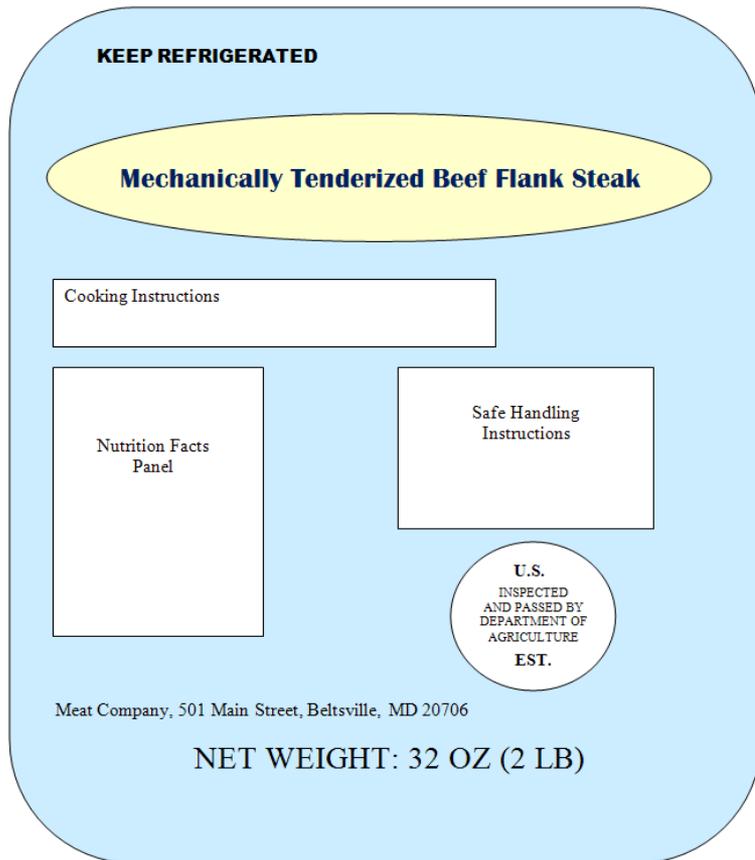
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### Application of MTB regulation

- Products covered:
  - Needle- or blade-tenderized raw beef products destined for household consumers, hotels, restaurants, or similar institutions .
- Products not covered
  - MTB Products destined to be fully cooked at an official establishment.
  - Other tenderization methods, such as pounding and cubing, that change the appearance of the product, putting consumers on notice that the product is not intact.

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## Descriptive Designation of MTB Products



Validated cooking instructions need to include:

- a cooking method
- that these products need to be cooked to a specified minimum internal temperature,
- whether these products need to be held at that minimum temperature or higher for a specified time before consumption, i.e., dwell time or rest time, to ensure that potential pathogens are destroyed,
- and that the internal temperature should be measured by a thermometer.

Food Safety and Inspection Service:  
Questions

**Questions?**