# Center for Science in the Public Interest, Consumer Federation of America
# Food & Water Watch, Safe Tables Our Priority
# United Food and Commercial Workers Union

*The following comments represent the views of the Safe Food Coalition members listed above regarding the FSIS public meeting, "Control of E. coli O157:H7: Addressing Sampling and Testing Methodologies, Compliance Guidelines, and N60 Labeling," October 14, 2008.*

General Principles

A primary goal of meat and poultry inspection is to protect the public health by reducing the incidence of foodborne pathogens in these products. It is government's role to set public health standards and assure that the results of the process controls implemented by meat and poultry processors meet those standards. A strong microbiological testing program is essential to determine whether those standards are being met. Both the government and individual companies must perform regular sampling of meat and poultry products to verify the company's process controls are working as intended. The sampling should be consistent with a protocol established by FSIS.

1. **The objectives of microbiological testing must be clearly identified.**

Consumers expect that FSIS' sampling program perform the following functions:

- Assure that the industry sampling plan is working effectively;
- Assure that the company is meeting regulatory standards; and
- Assure that FSIS is effectively carrying out its oversight responsibilities.

Consumers expect FSIS to be transparent and involve the public in adopting its approach for microbiological testing programs, by:

- Identifying its public health goals, and the specific objectives of the microbiological testing programs it conducts and oversees;
- Identifying the particular sampling plan(s) it is considering;
- Identifying possible sampling options (e.g. stratified sampling, purge sampling, etc.) and the public health benefits possible with each option; and
- Identify techniques to improve the effectiveness of sampling which could be used by FSIS or industry.

2. **A robust sampling plan designed to meet the microbiological testing objectives must be developed.**

Consumers expect FSIS and industry to conduct effective sampling programs. Currently neither company nor FSIS sampling is sufficient to protect public health.

Any microbiological testing programs adopted by FSIS or the industry must be evaluated using the following criteria:

- The actual capabilities of the program compared to the program goals;
- The acceptable parameters of a sample lot vs. a production lot;
- The power of the sampling program;

- The sensitivity and specificity of the microbiological tests;
- The rationale for the program;
- The limitations of the program; and
- The trade-offs of choosing this program over another.

FSIS' program should include increased government and industry sampling, in the context of the development, by FSIS, of a comprehensive program designed to trace contamination back to its source, and with disclosure to FSIS of plant sampling results.

FSIS should:

- Increase its own level of sampling in both slaughter and processing plants.
    - Specific goals for increased sampling should be identified and reasonable timelines should be set for increasing sampling to meet those goals.
    - FSIS should periodically report on its progress in achieving these goals.
- Require companies to increase their sampling frequency.
    - FSIS should recommend some sampling standards that are statistically valid for the specific purposes for which they will be used. Companies can develop alternative sampling regimes if they can demonstrate that they are equal to or more effective.
    - FSIS should make available sufficient resources and technical assistance to smaller plants to help them develop adequate sampling plans.
- Periodically review its overall sampling program to determine whether its program is performing the necessary functions (as stated above) and after seeking public input, change the program as necessary.
- Report aggregated or individual plant testing results to the public on a routine basis, but not less frequently than biannually.

3. **The adequacy of each plant's sampling plan must be evaluated and certified/approved by an independent third party.**

Each plant's sampling plan must be certified by an independent certifying organization, such as ANSI.

4. **The sampling plan must be implemented correctly and there need to be mechanisms for verifying this.**

FSIS needs to ensure that procedures are implemented correctly so that the confidence level of any sampling program is achieved.

FSIS must:

- Identify standardized procedures for taking a sample;
- Ensure that FSIS inspectors are trained to carry out sampling procedures correctly and routinely verify that industry employees are collecting samples correctly;
- Instruct inspectors to collect a list of suppliers for any lot of product that is samples; and
- Instruct inspectors to request and examine each plant's most current sampling results.

Each plant must:

- Keep records on the source(s) of material for each lot that it samples;
- Provide the most recent sampling results to FSIS inspectors immediately upon receipt of the results;
- Notify the FSIS inspector, or local officials when the inspector is not in the plant, if the plant receives notice of a positive result; and
- Provide FSIS with a list of the source suppliers to any lot from which FSIS collects a sample, at the time FSIS takes a sample.

5. **FSIS must clearly define the actions it will take based on the results of microbiological testing.**

Traceback is an essential element of effective process control. When a positive is found in a processing plant, traceback to the supplier is critical and must be done as quickly as possible so that other products in distribution can be identified.

FSIS must hold a public meeting to discuss:

- How the agency has been conducting traceback since the beginning of HACCP;
- What specific factors FSIS will consider in taking traceback actions and what traceback activities will be pursued when a positive is found;
- Who is responsible for conducting the traceback; and
- Any reasons for not conducting a traceback.

<u>Finally:</u>
We recognize that what we are recommending involves additional costs. However, we believe what we have outlined here has a public value that is worth an investment of public funds.

FSIS should provide the public with a progress report in how the Agency is addressing these issues within six months.