



## Consumer Federation of America

June 16, 2017

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

RE: Docket no. FSIS 2014-0032

Dear Acting Administrator Almanza,

The Consumer Federation of America (CFA) appreciates the opportunity to comment on the Food Safety and Inspection Service's (FSIS) Establishment-Specific Data Release Strategic Plan for Beef Trim Sampling (Docket no. FSIS 2014-0032). These efforts increase transparency by providing establishment specific data to the public. We write to encourage you to continue publishing establishment specific data, to accelerate its dissemination to the greatest extent possible, and to present the data in a manner that makes it actionable for consumers and wholesale buyers.

Researchers have linked FSIS' prior publication of establishment specific data to food safety improvements, and so making this information to the public deserves to be an agency priority.<sup>1</sup> At a recent meeting with the Safe Food Coalition, FSIS officials clarified that the agency intends to release STEC and Salmonella sampling data for beef components in late August, Salmonella and Campylobacter sampling and serotype data for young chicken carcasses in February of next year, and Salmonella and Campylobacter sampling and serotype data for young turkey carcasses and turkey by May of next year.<sup>2</sup>

The agency should consider accelerating this timeline. According to the agency's strategic plan, FSIS will "release one new data set from the Priority List no more frequently than on a quarterly basis."<sup>3</sup> With twelve sets of sampling data on the Priority List, following this timeline will result in some data sets being published years from now. As the Strategic Plan points out, FSIS inspectors routinely collect

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<sup>1</sup> ERS Study. Public Disclosure of Tests for Salmonella: The Effects on Food Safety Performance in Chicken Slaughter Establishments. *available at*. <https://www.ers.usda.gov/publications/pub-details/?pubid=83660>

<sup>2</sup> Office of Food Safety Management Council Meeting with Consumer Representatives (June 15, 2017).

<sup>3</sup> FSIS Establishment Specific Data Release Strategic Plan (July 2016), <https://www.fsis.usda.gov/wps/wcm/connect/0803f8a0-a3cc-4945-87b6-f992acdcfa9b/Establishment-Specific-Data-Plan-Final.pdf?MOD=AJPERES>

establishment specific data, such as Hazard Analysis and Critical Control Point (HACCP) verification tasks and FSIS inspector microbial sampling results, from all federally regulated processing or slaughter plants.<sup>4</sup> This data is already publicly available to the extent that it is subject to disclosure in response to requests made under the Freedom of Information Act. Understandably, staffing and logistical constraints contribute to the speed at which FSIS can post this data to its website, but we see no reason for the agency to act reluctantly in releasing data more frequently than once a quarter. Now that the agency has begun the data release process, we hope that FSIS can apply lessons learned to combine the release of datasets or otherwise accelerate its timeline, which would serve to improve food safety.

A more transparent food system is a safer food system. A recent USDA Economic Research Service (ERS) study confirms this as it relates to the availability of establishment specific data on poultry processors. The ERS study reports that public disclosure of food safety performance correlated with reductions in *Salmonella* contamination in poultry. The ERS study focuses on the time period immediately after FSIS adopted its metric for poultry plant performance (Category 1, 2 or 3) under the *Salmonella* Initiative Program (SIP), which was then followed by a practice of posting plant compliance ratings on the agency website, and then a suspension of that practice, which continues today. The ERS researchers found that posting establishment specific data corresponded with substantial (4.5 percent) declines in the share of samples of broilers testing positive for *Salmonella*.<sup>5</sup>

As the ERS report explains, knowing whether a poultry processor falls into a high or poor performing category allows retailers and other buyers to pay for better food safety control, and encourages investment in areas like on-farm testing and other strategies that are not required under law. Notably, the data sets released most recently by FSIS do not explicitly identify above and below average performers, through categories or other means, and may therefore be less effective at stimulating the desired market response. Where FSIS has not defined categories for a product or pathogen, the agency should consider including in its data sets information to help the public understand firms' performance, such as highlighting those that fall above or below a certain percentile, or above or below some measure of variation from the median or average performance level.

Thank you for the opportunity to submit these comments.

Sincerely,

Thomas Gremillion  
Director, Food Policy Institute  
Consumer Federation of America

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<sup>4</sup> *Id.*

<sup>5</sup> ERS Study, *supra* note 1; *see also* National Research Council, Committee on a Study of Food Safety and Other Consequences of Publishing Establishment-Specific Data. The Potential Consequences of Public Release of Food Safety and Inspection Service Establishment-Specific Data. 2011. Available at: [http://www.nap.edu/catalog.php?record\\_id=13304](http://www.nap.edu/catalog.php?record_id=13304).