

NACMPI – Spring 2004
Standing Sub-Committee Number 2
Applying the Mark of Inspection to Product Tested for an Adulterant

Issue: Should FSIS delay a decision on granting the mark of inspection to product that has been tested for the presence of an adulterant until it has received the results of the testing?

Question 1: How would such a policy impact industry, particularly small and very small plants?

- Some plants may not be able to meet their customers' expectation
- Mandating the policy may significantly impact small and very small plants by affecting the critical cash flow of the plant and the livelihood of employees.
- Level of assurances on process control maybe altered if paltn elects to no longer be under inspection as provided by the Meat and Poultry statutes.
- The agency should encourage these plants to operate under inspection and provide awareness of the objective to test and hold product voiced by all stakeholders, ie. retailer, meat and poultry industry,

Question 2: Are there ways that FSIS could mitigate those problems?

The agency encourages the education of Small and Very Small Plants.

- Plan, hold, and/or encourage information meetings such as Saturday Seminars. This information sharing may occur through university, trade association, etc.
- Encourage plants to develop a plan of action to deal with difficulties that test and hold presents before product is selected for testing such as networking in order to fill customer orders, partner with an alternate supplier to produce a new batch, etc. This action will serve to help the ease with which small and very small plants can deal with the issues of cash flow and customer demand.

FSIS should notify plant and retail establishments in a timely manner to allow these establishment to make appropriate business decisions on holding product selected for USDA testing.

FSIS inspectors should be trained and expected to express the importance of holding product when notifying plant management of planned testing.

When possible, FSIS should adopt and employ new methods of testing that reduce the holding time such as rapid testing, real time technology, molecular assays, etc. FSIS

should work in cooperation with researchers and companies in the development and evaluation of rapid testing technologies.

FSIS should provide a summary for plants on directives and responsibilities, and create a "Plant Update" similar to the current "Constituents Update" issued by the agency. The update to plants should include simple bullet points and be made available in various languages.

Current policy on residue should not be changed.

Question 3: What is the sub-committee's view on this issue?

Opinions vary as to the need to mandate. Estimates from 2003 data show that approximately 2/3 of plants are already holding product that had been tested. However, very small and small plants should consider the impact of not holding test product and the possible mitigation strategies to facilitate voluntary holding of product. FSIS should be proactively involved in enhancing current understanding of the ability of plants to hold.

NOTE: The Retail Exemption as of April 30, 2004 limits store sales of 75% to household consumer and a maximum dollar amount of \$53,600. in meat and \$43,600. in poultry sales.

Small and very small plants are defined under the HACCP rule as

Very small	less than ten employees with sales less than \$2.5 million
Small	10-499,
Large	500 or more