

UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND INSPECTION SERVICE
WASHINGTON, DC

FSIS NOTICE	22-12	3/21/12
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**SAMPLING OF RAW BEEF PRODUCT INTENDED FOR THE
NATIONAL SCHOOL LUNCH PROGRAM**

I. PURPOSE

This notice provides instructions to inspection program personnel (IPP) on collecting raw beef product samples when establishments produce product intended for the National School Lunch Program (NSLP).

II. BACKGROUND

A. Establishments may produce product for the NSLP, which is administered by the Food and Nutrition Service (FNS). The Agricultural Marketing Service (AMS) is responsible for testing product under the NSLP.

B. The Agency has become aware that additional instructions are needed for IPP in establishments producing raw beef products destined for the NSLP. To verify that establishments adequately address *Escherichia coli* (*E. coli*) O157:H7, IPP are to collect samples at establishments that produce raw beef product for the NSLP, even if the establishment collects a sample to be tested for the AMS program. In addition, IPP are to collect follow-up samples when either an FSIS sample or a sample collected by the establishment for AMS testing is positive for *E. coli* O157:H7.

III. IPP SAMPLING RESPONSIBILITIES

A. When an establishment produces **only** raw non-intact beef or raw intact beef intended for non-intact use for the NSLP, IPP are to collect routine verification samples for *E. coli* O157:H7 when they receive the sample request in their task bar, even if the establishment is collecting a sample from the same production lot for AMS testing for the NSLP.

B. When IPP receive a sample request in their task bar with an MT50, MT54, MT55, MT52, or MT53 code at an establishment that produces beef manufacturing trimmings, other raw ground beef or patty components, or bench trim, for **both** the NSLP and other customers, IPP are to first sample product for customers other than the NSLP under the

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appropriate *E. coli* O157:H7 routine verification sampling program (MT50, MT54, MT55, MT52, or MT53). If only NSLP product is available during the sampling window, IPP are to collect samples from NSLP product.

Product available at time of sample collection

	Only NSLP product	NSLP and other customer product	Only other customer product
Product collected by IPP	NSLP product collected	Other customer product collected	Other customer product collected

IV. FSIS ACTIONS AFTER A POSITIVE RESULT

A. When a sample collected under the NSLP tests positive, IPP are to check establishment *E. coli* O157:H7 test results (see FSIS Directive 5000.2) to determine whether the establishment also found the sampled product positive for *E. coli* O157:H7. If the establishment held the product or maintained control of the product (e.g., the establishment moved the product off-site but did not complete pre-shipment review or transfer ownership of the product to another entity) pending its own test results, and FSIS and the establishment found the product positive for *E. coli* O157:H7, IPP are not to issue a noncompliance record (NR). IPP are to verify that the establishment performs the appropriate corrective actions. Generally, if a sample collected under the NSLP tests positive for *E. coli* O157:H7, and the establishment did not find the product positive for *E. coli* O157:H7, IPP are to issue a noncompliance record (NR) following the instructions in FSIS Directive 10,010.1, Chapter III, III.

B. When a sample collected under the NSLP tests positive, IPP are to collect product for follow up sampling from either NSLP product or other customer product, rather than attempting to collect other customer product before NSLP product. In a follow-up sampling situation, the primary goal for FSIS is to regain confidence that the establishment’s production process is properly controlled.

C. When a sample collected under the NSLP tests positive, IPP are to collect 8 follow-up samples even in high volume establishments, because of the other testing that product subject to AMS sampling undergoes (see FSIS Directive 10,010.1, Ch. III, Section VIII, 5).

V. IPP RESPONSIBILITIES WHEN TWO SAMPLES ARE COLLECTED FROM THE SAME LOT

IPP are responsible for verifying corrective actions for a positive result for either the FSIS sample or a sample collected by the establishment for AMS testing, including appropriate disposition of the product. A positive result from either sample would mean product is adulterated, and IPP are to follow instructions in FSIS Directive 10,010.1, Verification Activities for *E. coli* O157:H7 in Raw Beef Products (Ch. III), regarding positive sample results.

VI. DATA ANALYSIS

The actions directed by this notice are among the many efforts the Agency is making to reduce the rate of *E. coli* O157:H7 samples discarded by FSIS laboratories. Every quarter, the Office of Data Integration and Food Protection/Data Analysis and Integration Group provides the Office of Policy and Program Development an analysis of discard codes by project code.

Refer questions regarding this notice to the Risk Innovation and Management Division through askFSIS at <http://askfsis.custhelp.com> or by telephone at 1-800-233-3935.

A handwritten signature in black ink, appearing to read "David Joseph". The signature is fluid and cursive, with a prominent initial "D" and "J".

Assistant Administrator
Office of Policy and Program Development