



Constituent Update

Protecting Public Health Through Food Safety and Food Defense

Florida Man Charged with Food Safety and Humane Slaughter Violations

United States
Department of
Agriculture

Food Safety and
Inspection Service

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Mauret Curbelo, manager of Danilo Ranch, a Hialeah, Fla., establishment, was indicted April 19 by a Federal Grand Jury in Miami on multiple charges resulting from violation of the Federal Meat Inspection Act (FMIA) and the Humane Methods of Slaughter Act (HMSA). According to charging documents, Curbelo allegedly engaged in the inhumane slaughter of swine, sold uninspected and adulterated swine meat for human consumption and made false statements to federal compliance investigators. The indictment was followed by Curbelo's arrest on April 20, when officials said he was actively in the process of preparing a pork carcass.

According to the indictment, an FSIS investigator observed the slaughter and cooking of swine on the premises of the Danilo Ranch under insanitary conditions on Jan. 23, 2010. The indictment further charged that in June 2010, Curbelo knowingly slaughtered and handled swine without first rendering the swine insensible to pain. The false statement charge in count 4 of the indictment relates to an incident on March 13, 2010, in which Curbelo stated to an FSIS compliance investigator that he only slaughtered swine for his personal use, when it's alleged, he slaughtered and directed the slaughter of numerous swine sold to customers.

If convicted of the charges, Curbelo could face a 3-year prison sentence on each of the three charges related to the HMSA and FMIA violations and a 5-year prison sentence on the false statement charge. Additionally, Curbelo could face a fine of up to \$250,000 as to each of the four counts and may be placed on parole for up to three years.

FSIS participated with U.S. Marshal's Service Florida Fugitive Task Force in effecting the arrest in this case.



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Export Requirement Updates



The Library of Export Requirements has been updated to reflect changes in export requirements for the following countries:

Australia

Cuba

France

Philippines

Taiwan

Complete information can be found at www.fsis.usda.gov/Regulations_&_Policies/Export_Information/index.asp.

FSIS Constituent Update is prepared by the Congressional and Public Affairs Office.

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Brian Ronholm Named Deputy Under Secretary For Food Safety

Brian Ronholm, who most recently served as an Agriculture Appropriations Associate for Connecticut Congresswoman Rosa DeLauro, has been named Deputy Under Secretary for Food Safety. Ronholm brings a wealth of food safety, nutrition and consumer protection policy experience to the position and is expected to be an invaluable asset to supporting FSIS' mission to improve public health. Ronholm begins the new position on April 25.

FSIS Announces Final Rule *Interstate Shipment of State-Inspected Meat and Poultry Products*

This week, the agency announced a final rule that will broaden the market for smaller state-inspected plants. By participating in this voluntary cooperative interstate shipment program, select establishments will have the option to ship meat and poultry products, bearing an official USDA mark of inspection, across state lines.

"We're excited to announce this new rule that offers smaller plants the opportunity to expand their market and sell their products to new customers," said FSIS Administrator Al Almanza. "Allowing these state-inspected establishments to ship their products across state lines has the potential to expand rural development and jobs, increase local tax bases, strengthen rural communities and ensure that food is safe for consumers."

In participating states, state-inspected establishments selected to take part in this program will be required to comply with all federal standards under the Federal Meat Inspection Act (FMIA) and the Poultry Products Inspection Act (PPIA). These establishments will receive inspection services from state inspection personnel that have been trained in the requirements of the FMIA and PPIA.

To view the final rule, visit www.fsis.usda.gov/Regulations_&_Policies or visit the *Federal Register* online at www.gpoaccess.gov/fr/.

USDA Announces Public Meeting and Seeks Comments on Positions of Food Labeling

The Office of Food Safety will host a public meeting of the Codex Committee on Food Labeling (CCFL) of the Codex Alimentarius Commission (Codex) on April 25 from 2 to 5 p.m. in room 107-A of USDA's Whitten Building, 1400 Independence Ave., S.W., Washington, D.C.

The committee will receive public comments on agenda items and draft U.S. positions that will be discussed at the 39th Session of the CCFL that will be held in Quebec, Canada.

To participate via teleconference, call (888) 858-2144 and enter the pass code 6208658. Documents related to the 39th Session of CCFL will be accessible at www.codexalimentarius.net/current.asp.

For more information about the meeting, contact Doreen Chen-Moulec at (202) 205-7760 or doreen.chen-moulec@fsis.usda.gov.

USDA Seeks Public Comment to Improve Regulation and Regulatory Review

USDA is asking for public comment as it reviews existing program rules to determine whether any should be modified, streamlined, clarified, or repealed to improve access to USDA programs. The intent is to minimize burdens on individuals, businesses and communities attempting to access programs that promote economic growth, create jobs, and protect the health and safety of the American people. The review was directed by President Obama in Executive Order 13563, which he signed January 18.

"As we work to out-build and out-innovate the rest of the world, we must ensure that people across the country are able to access the critical programs and resources that USDA offers," said Agriculture Secretary Tom Vilsack. "The comments will allow us to hear directly from those who use USDA programs as we work to streamline rules in a way that improves access to resources intended to create jobs and grow the economy."

FSIS is considering a review of its regulations to identify potential improvements in information collection procedures to increase the quality of data available to inform and support regulatory decision making. For example, FSIS is considering collecting additional information about establishment verification testing, such as testing for pathogens. FSIS is also considering potential means to decrease the recordkeeping burden on industry, by possibly reducing label submission requirements. In addition, FSIS is also considering how its new Public Health Information System could potentially be used to share data and reduce data reporting requirements. To aid this effort, FSIS invites the public to comment on how best to improve data quality and minimize the recordkeeping burden on industry.

USDA is seeking input from the public through May 20. Those interested in offering comments are asked to provide them at www.regulations.gov, and include the docket number USDA-2011-0001.

All comments received will be considered as USDA reviews its existing rules. To review the *Federal Register* notice, go to www.regulations.gov/#!documentDetail;D=USDA-2011-0001-0001.

Newly Posted PHIS Videos

Check out our video on PHIS featuring an interview with Administrator Al Almanza and OFO Assistant Administrator Dr. Kenneth Petersen at www.youtube.com/watch?v=8YZ8iu2hj6I. Also go to www.youtube.com/watch?v=OCAvv4C8JME to see the newly posted predictive analytics video.

Get Answers at AskFSIS

AskFSIS is a web-based technology and policy question-and-answer forum on topics such as exporting, labeling, inspection, programs and procedures.

In addition, *askFSIS* offers Really Simple Syndication (RSS) feeds that link back to the Q&As. To view recently posted topics, visit <http://askfsis.custhelp.com/>.

FSIS Policy Updates

FSIS issues notices and directives to protect public health. The following policy updates were recently issued:

Directive 6440.1,

Verification Activities for the Sanitary Air Inflation of Livestock Carcasses and Parts

All notices and directives are available at www.fsis.usda.gov/Regulations_&_Policies/index.asp.

Final Calendar Year 2010 *Salmonella* Set Results for Young Chickens and Young Turkeys

As reported in the Dec. 17, 2010, issue of the *Constituent Update*, the President's Food Safety Working Group (FSWG) charged FSIS with developing new standards for chilled poultry carcasses to reduce the prevalence of *Salmonella*. The agency has published a *Federal Register* notice on implementing these new standards.

Though the standards were not formally in effect in 2010, FSIS has been measuring poultry industry performance to see what percentage of establishments would have met the standards for 2010 had they been in effect. FSIS counted completed sample sets that started no later than Dec. 31, 2010, and completed no later than March 31, 2011.

As of March 31, 2011, 87.3 percent of young chicken and 93.9 percent of young turkey slaughter establishments would have met the new standard for 2010. FSIS will continue to monitor industry performance as measured by the now-official standards and provide periodic progress reports through FSIS' *Constituent Update* and more frequent updates on the FSIS website.

The FSWG set a goal for 90 percent of poultry slaughter establishments to meet these new standards by the end of calendar year (CY) 2010 (www.foodsafetyworkinggroup.gov/FSWG_Key_Findings.pdf). The agency will consider a higher goal after a 5-year cycle.

The agency encourages the poultry industry to continue efforts to reduce *Salmonella* contamination in poultry products. During CY2011, FSIS will focus on reducing the relatively high positive rate in "comminuted" poultry products (poultry processed mechanically to reduce particle size). FSIS encourages the meat industry to take further steps to reduce *Salmonella* in raw classes of meat.

Editor's Note:

USDA Press Release No. 0148.11 "USDA Announces Proposed Test and Hold Requirement for Meat and Poultry Products" was updated today to correct the docket number, which should be "FSIS-2005-0044" but was instead incorrectly listed in the original release as "FSIS-2006-0044." The links to the *Federal Register* notice are correct as issued. All comments must identify FSIS and docket number FSIS-2005-0044.