



United States Department of Agriculture

Food Safety and
Inspection Service

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Washington, D.C.
20250

Wenonah Hauter
Executive Director
Food & Water Watch
1616 P St. NW, Suite 300
Washington, DC 20036

FEB 26 2020

Dear Ms. Hauter,

The USDA Food Safety and Inspection Service (FSIS) has completed its review of your petition dated December 6, 2017, requesting that FSIS conduct rulemaking to amend 9 CFR 327.2(b) to remove Brazil as a country that is eligible to export meat products to the United States. The petition supports this request by questioning whether Brazil was capable of making the corrections needed to regain eligibility to export "fresh" (raw) beef to the United States and asserting that 100 percent re-inspection of Brazilian meat products at U.S. ports-of-entry undermined the FSIS equivalency system.

FSIS has decided to deny your petition for the following reasons:

Equivalence of Brazil's Inspection System for Raw Intact Beef

On June 22, 2017, USDA announced the suspension of eligibility of raw (fresh-chilled or frozen) intact beef from Brazil to be imported to the United States, after Brazil's Department of Inspection for Products of Animal Origin (DIPOA) failed to demonstrate that its inspection procedures for raw beef achieved a level of public health protection equivalent to that achieved by the U.S. inspection system. Since then, FSIS has maintained ongoing communication with DIPOA regarding this suspension and associated concerns about the Brazilian meat inspection system. Extensive technical engagement between FSIS and DIPOA, including in-person meetings and exchanges of documentation, ensured that Brazil understood FSIS requirements for food safety equivalency prior to and during the in-country audits.

From June 10 to 28, 2019, FSIS conducted an in-country audit to determine if appropriate food safety controls had been put in place that would support lifting the suspension of raw beef imports from Brazil. FSIS auditors discovered some systemic deficiencies during the audit. In response, Brazil provided FSIS with documented corrective actions and assurances concerning the 2019 audit findings.

From January 13 to 24, 2020, FSIS conducted a follow-up targeted on-site verification audit to ensure the implementation of Brazil's corrective actions proposed in response to FSIS's June 2019 audit findings. The 2020 FSIS audit identified no deficiencies and confirmed that Brazil had implemented the necessary corrective actions. Consequently, as of February 21, 2020, FSIS has

reinstated Brazil's eligibility to export raw intact beef products to the United States. Therefore, as stated above, we are denying your petition.

FSIS Re-Inspection Activities: Examination of Brazilian Meat Imports at Increased or Intensified Levels

FSIS disagrees with your assertion that examination and testing of 100 percent of Brazilian meat subverted the FSIS equivalence process. All imported meat and poultry products are already subject to 100 percent re-inspection in order to verify accurate labeling and certification. And, FSIS has many procedures in place to take further actions when a country's inspection system has been found to have deficiencies. Some are increased product examination, sampling, testing, and other re-inspection activities at U.S. import establishments. When FSIS determines that a country has implemented appropriate corrective actions to resolve the deficiencies, the Agency will reduce the elevated re-inspection activities to routine levels.

On March 18, 2017, FSIS instituted 100 percent product examination of all shipments of Brazilian meat products imported into the United States, regardless of contents; condition of container examination for 100 percent of thermally processed products; and 100 percent testing of ready-to-eat products for *Salmonella* and *Listeria monocytogenes*. This intensified re-inspection also included testing 100 percent of beef trimmings from Brazil for *Salmonella*, *Escherichia coli* (*E. coli*) O157:H7, and non-O157 Shiga toxin-producing *E. coli* (STEC). FSIS implemented these measures to verify that Brazil's meat inspection system was maintaining a level of public health protection equivalent to that of the U.S. meat inspection system. Since August 2018, FSIS has reduced product examinations for raw pork and meat extracts from 50 percent to routine levels and has reduced to 50 percent condition of container and product examinations for thermally processed/commercially sterile products. These reductions in the number of intensified product examinations resulted from FSIS's review of corrective actions provided by Brazil, as well as FSIS' re-inspection data.

In accordance with FSIS regulations, the petition has been posted to the FSIS website (9 CFR 392.6). We intend to post this response as well. You may contact Mary Porretta, Petitions Manager, Issuances Staff, at (202) 720-5627 if you have any questions.

Sincerely,



Terri Nintemann
Assistant Administrator
Office of Policy and Program Development