Poultry Slaughter Modernization

1. **How will modernizing poultry inspection make chicken and turkey products safer to eat?**

   Since USDA first began inspecting poultry in 1957, USDA has learned a great deal about how to detect pathogens and control for them. Modernizing poultry inspection means adopting a science-based, preventative approach to addressing contamination on chicken and turkey products.

   In 1957, our inspection system was designed so that inspectors watched chickens or turkeys to spot visible defects on the carcasses as they came down the inspection line. In 2014, we now understand that since pathogens are microscopic, even our very best inspectors cannot visually identify foodborne illness-causing pathogens on a piece of chicken, regardless of how much time they have to inspect it. To determine whether establishments are effectively preventing contamination by these microscopic foodborne illness-causing pathogens, we use data, microbial sampling, scientific tests, and conduct activities to verify that plants' food safety systems are working and are under control.

   The New Poultry Inspection System, which FSIS is adding to the list of optional ways poultry companies can operate, prioritizes precisely these activities. Under the 50-year old inspection system, some FSIS inspection program personnel assist companies in sorting through carcasses to identify visual defects, such as bruises, scabs, or sores. While these defects may pose a concern for the marketability of the product, they pose little or no threat to food safety. Under the New Poultry Inspection System, the online inspectors who previously helped companies sort poultry carcasses will now be stationed at the end of the slaughter process, after the plant employees have conducted sorting activities, to conduct carcass-by-carcass inspections for food safety problems while each inspection line will now have one off-line inspector to conduct food safety verification activities such as taking samples for microbial testing, examining plant and equipment sanitation, checking plant records, and observing the companies' employees and equipment at work to assess overall process control.

   Besides creating the optional New Poultry Inspection System, FSIS is also placing new pathogen control and testing requirements on all poultry facilities, regardless of which system they operate under.

2. **But this system uses fewer inspectors. Isn't that counterintuitive to food safety, and isn't it privatizing inspection?**

   For food safety, the key issue is the specific strategies used to prevent foodborne illnesses. Currently, poultry companies may operate under one of four inspection programs, and FSIS is adding the New Poultry Inspection System as a fifth option. FSIS is adding this updated science-based inspection system to the list of optional programs because our 15-year pilot

program showed that it is better than the other systems for ensuring food safety. Data from our pilot program shows that an inspection system like the New Poultry Inspection System results in greater compliance with sanitation and HACCP regulations, carcasses with lower levels of visible fecal contamination, and equivalent or lower levels of *Salmonella* contamination. These positive results were able to be achieved with fewer inspectors overall, but more inspectors deployed to more meaningful food safety-based activities.

Under the New Poultry Inspection System, the online inspectors who previously helped companies sort poultry carcasses based mostly on quality factors will be stationed at the end of the slaughter process, after the plant employees have conducted sorting activities, to conduct carcass-by-carcass inspections focused on food safety. In addition, each inspection line will now have one off-line inspector to conduct food safety verification activities. The sorting activities will be carried out by the processing company's personnel instead of FSIS inspection personnel. FSIS inspectors will verify that the plant employees are effectively sorting the carcasses, and that the establishment's system is under control and preventing the creation of insanitary conditions. An increase in offline inspection activities has been proven to better ensure food safety.

Significantly, FSIS will now require that all poultry companies prevent *Salmonella* and *Campylobacter* contamination rather than addressing contamination after it occurs. Also for the first time ever, all poultry facilities will be required to perform their own microbiological testing at two points in their production process to show that their procedures for preventing contamination by enteric pathogens, such as *Salmonella* and *Campylobacter*, are effective. These requirements are in addition to FSIS' own testing, which the agency will continue to perform.

3. If the New Poultry Inspection System is better for inspecting chicken and turkey, why is it optional?

Some components of FSIS's modernization rule are mandatory for every poultry facility. Under this rule, all poultry facilities will be required to document the actions they will take to control *Salmonella, Campylobacter* and other food safety dangers. They will also have to prove to FSIS through new testing requirements that these food safety steps are working to control illness-causing pathogens.

Through the comment period, we heard feedback that a one size fits all approach was not feasible, especially for smaller facilities. Therefore we are giving companies the option to adopt the New Poultry Inspection System or maintain their current inspection system.

4. Will industry be subject to more requirements under the final rule? How will this rule protect public health and prevent food borne illness?

Yes, industry will now be subject to multiple additional requirements.

All poultry slaughter establishments, including those that choose not to operate under the NPIS, will be required to treat pathogens like *Salmonella* as food safety hazards, and and

failure to implement effective measures to control these pathogens would be a basis for an inspector to take appropriate regulatory action, including suspending operations at the establishment. Previously, no such requirement existed.

All establishments, with some exceptions for very small businesses, will be required to conduct microbial testing at two points in the slaughter process to ensure they are controlling *Salmonella* and other pathogens. The smallest establishments will be required to conduct microbial testing at one point in the process. Previously, plants were required to test at one location for generic *E. coli*, which is not as valuable for indicating food safety as we previously thought, and the vast majority of facilities easily met this requirement. Therefore, we are implementing a more aggressive testing requirement.

5. What are some examples of things your inspectors will now be doing under the New Poultry Inspection System that they were not doing before?

By assigning an offline inspector to each evisceration line (previously, one inspector covered multiple evisceration lines), these inspectors are able and required to complete a higher number of offline inspection tasks. The rule does not create new tasks for offline inspectors to perform but does result in more of these tasks being completed. Examples of off-line activities include:

- Taking samples of product that our labs can analyze for *Salmonella* and *Campylobacter*;
- Every hour, offline inspectors will pull ten birds off the line to check for visible fecal material, as well as other defects missed by the company's sorters. Detection of these defects may result in a Non-Compliance Report (NR), and possible production stoppage. Under other inspection programs, only 20 birds are checked this way per 8-hour shift.
- Verifying compliance with sanitation standard operating procedures;
- Verifying compliance with sanitation performance standards;
- Verifying compliance with HACCP regulatory requirements;
- Observing the steps in the process to ensure that they are under control;
- Ensuring that poultry are slaughtered in accordance with good commercial practices (compliance with these requirements ensures that poultry are handled humanely prior to FSIS online inspection);
- Reviews of records;
- Ensuring the establishment is meeting all regulatory requirements, including the zero tolerance for visible fecal material; and,
- Ensuring an establishment is effectively preventing contamination by enteric pathogens and fecal material throughout the entire slaughter and dressing process.

6. If companies, instead of federal inspectors, are sorting out carcasses with visible defects, should I expect a decrease in the quality of poultry products?

No. Under the current inspection system, some FSIS inspection program personnel assist companies in sorting through carcasses to identify visual defects, such as bruises, scabs, or sores. While these defects may pose a concern for the marketability of the product, they pose little or no threat to food safety. Under the New Poultry Inspection System, the online inspectors who previously helped companies sort poultry carcasses will now be stationed at

the end of the slaughter process, after the plant employees have conducted sorting activities, to conduct carcass-by-carcass inspections and will be augmented by off-line inspection activities including but not limited to: taking samples for microbial testing, examining plant and equipment sanitation, checking plant records, and observing the companies' employees and equipment at work to assess overall process control.

7. Fecal material is visible, and it carries pathogens. How will this new system address this food safety concern with fewer inspectors?

FSIS expects that protection against fecal contamination and pathogens will be much greater under the new rule. Data from the HIMP pilot study, which was used to inform the New Poultry Inspection System, show that fecal contamination rates are lower in HIMP establishments than in non-HIMP establishments. Specifically, the data show that HIMP plants had fewer non-compliance reports for fecal material than non-HIMP plants.

This is because in non-HIMP plants, FSIS on-line inspectors do not react to fecal contamination at a location immediately prior to the chiller. The anticipation is that the on-line reprocessing will correct any contamination issues. In HIMP and under the new optional system, FSIS on-line and off-line inspectors actually look for possible fecal contamination at a location immediately prior to the chiller, prevent it from entering the chiller, and issue a Non-Compliance Report if any birds contaminated with fecal material make it that far. Moreover, all plants will be testing carcasses before, as well as after, the chiller for microbial contamination.

8. With fewer inspectors in poultry facilities, how will FSIS ensure that birds are handled humanely?

Because more inspectors will be free to move about the plant, they will be able to observe the area of the plant where live birds are handled more often than they are now. Online inspectors do not observe live birds.

9. Will poultry companies be allowed to increase their evisceration line speed?

FSIS is not increasing the maximum allowable line speed in chicken facilities. Turkey facilities will be able to increase their line speeds slightly, from 51 to 55 birds per minute.

10. What measures did FSIS take in the final rule regarding worker safety?

FSIS' core mission and statutory obligation is to protect the safety of the food supply. While we do not have legal authority in the area of worker health, we recognize that the federal government has an obligation to protect worker health. In the proposed rule, FSIS acknowledged that any improvements to food safety should be made with worker safety in mind.

Throughout this rulemaking process, FSIS has worked extensively with NIOSH and OSHA, who are the government agencies with the expertise and authority to address worker safety

issues in private industry workplaces. FSIS has committed to working with NIOSH and OSHA on disseminating the guidance resulting from the completed NIOSH study, and ensuring greater awareness by FSIS and the industry about worker safety and health.

Specific changes to this rule regarding worker safety include:

- The regulation describing the NPIS now emphasizes that companies operating under the new program have an existing legal obligation to comply with OSHA's statutes.

- A new subpart in the regulations provides that each establishment that participates in NPIS needs to submit on an annual basis an attestation to the management member of the local FSIS circuit safety committee stating that it maintains a program to monitor and document any work-related conditions of establishment workers. The elements of this program include:
  1) Policies to encourage early reporting of symptoms of work-related injuries and illnesses, and assurance that the establishment has no policies or programs intended to discourage the reporting of injuries and illnesses.
  2) Notification to employees of the nature and early symptoms of occupational illnesses and injuries, in a manner and language that workers can understand, including by posting in a conspicuous place or places where notices to employees are customarily posted, a copy of the FSIS / OSHA poster encouraging reporting and describing reportable signs and symptoms.
  3) Monitoring on a regular and routine basis of injury and illness logs, as well as nurse or medical office logs, workers' compensation data, and any other injury or illness information available.

- A commitment to issuing FSIS notice, "Procedures for Notifying the Occupational Safety and Health Administration (OSHA)." The notice establishes a procedure for FSIS inspection personnel to notify OSHA directly of serious workplace hazards that may affect non-federal establishment personnel in meat and poultry products establishments and in egg product plants. The notice provides inspection personnel with a confidential 1-800 number to refer an occupational safety or health concern for a plant employee directly to OSHA.

11. What steps did FSIS take to ensure that the process for developing this modernization effort was transparent to the public?

Throughout the more than two years that have passed since FSIS first published the original proposal, numerous steps have been taken to solicit public feedback that have resulted in a significantly changed modernization effort. FSIS held a 120-day comment period, during which we received 250,000 comment letters and worked for two years to review and address them. Specific examples of our public dialogue include:

- The proposal for this decision was given an extended review period. The proposal was published on January 27, 2012, the agency announced on April 19 that the comment period was extended an additional 30 days, ending on May 29, 2012.

Poultry Slaughter Modernization

- A public meeting of the National Advisory Committee on Meat and Poultry Inspection was held on March 21, 2012, to present information on the proposal to the committee.
- The agency received more than 2,260 public submissions on this proposal. FSIS received more than 250,000 comment letters, most of which were submitted as part of organized write-in campaigns. The Agency also received a petition that included approximately 150,000 signatures and form letters before the comment period closed. The Agency received two other petitions in November 2012, after the comment period closed. One of the petitions included approximately 180,000 signatures and 13,000 comments, and the other included over 3,500 signatures.
- Also since the rule was proposed, FSIS has:
    - Held 19 monthly meetings with consumer advocacy groups, in addition to 5 meetings specifically on the proposed rule.
    - Held 20 monthly meetings with industry groups.
    - Made two reports to Congress.
- In addition, this modernized inspection system has been tested for 15 years through a pilot project and there has been opportunity for the public to comment throughout the course of the pilot.