

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

FSIS DIRECTIVE

10,310.1

2/16/17

PILOT PROJECT: CONTROL OF *LISTERIA MONOCYTOGENES* IN RETAIL DELICATESSENS

I. PURPOSE

FSIS is conducting a pilot project to assess whether retailers are using the recommendations in the [FSIS Best Practices Guidance for Controlling *Listeria monocytogenes* \(*Lm*\) in Retail Delicatessens](#) (FSIS Retail *Lm* Guidance). This directive provides instructions to the Office of Investigation, Enforcement and Audit (OIEA), Compliance and Investigations Division (CID) Investigators, on how to complete the ready-to-eat (RTE) Retail Deli Tool, a questionnaire in the Public Health Information System (PHIS) that will help Investigators compare the practices observed in retail delis to the FSIS Retail *Lm* Guidance in the following areas: product handling, cleaning and sanitizing, facility and equipment controls, and employee practices. This directive also provides instructions to Investigators on how to conduct outreach during their in-commerce surveillance activities at retail firms that slice or prepare deli products.

II. BACKGROUND

A. The FSIS Retail *Lm* Guidance provides specific recommendations that retailers can use in the deli area of their operations to control *Lm* contamination of RTE meat and poultry products. The guidance highlights recommendations based on an evaluation of retail conditions and practices documented in the [Interagency Risk Assessment--*Listeria monocytogenes* in Retail Delicatessens](#) (Interagency Retail *Lm* Risk Assessment). The FSIS Retail *Lm* Guidance includes information from the Food and Drug Administration (FDA) Food Code, scientific literature, other guidance documents, and lessons learned from FSIS verification sampling and from reviewing sanitation programs for *Lm* controls in meat and poultry processing establishments. The FSIS Retail *Lm* Guidance sets out recommendations rather than requirements.

B. FSIS has identified the following eight recommendations in the FSIS Retail *Lm* Guidance as the most important actions that retailers can take to protect public health:

1. Eliminate visibly adulterated product present in the retail deli;
2. Refrigerate RTE meat or poultry products promptly after use;
3. Do not prepare, hold, or store RTE meat or poultry products near or directly adjacent to raw products in the deli case or elsewhere in the deli area;
4. Cover, wrap, or otherwise protect all opened RTE meat or poultry products when not in use to prevent cross-contamination;
5. Ensure that insanitary conditions (e.g., flies, rodent droppings, mold, or dirty surfaces) are not present where RTE meat and poultry products are prepared, packed, and held;

DISTRIBUTION: Electronic

OPI: OPPD

6. Clean and sanitize equipment used to process RTE products at least every 4 hours;
7. Eliminate facility conditions in the deli area or storage area that could cause the products to become adulterated (e.g., condensation dripping on exposed product, construction dust, or broken equipment); and
8. Require deli employees handling RTE products to wear disposable gloves.

C. On January 25, 2016, FSIS launched a year-long, nationwide pilot project to measure the status of retailers' voluntary adoption of the FSIS Retail *Lm* Guidance recommendations. FSIS has decided to extend the pilot project until the end of calendar year (CY) 2021. By the end of the pilot project, FSIS expects 64% of retailers will follow all eight of the recommended actions. FSIS will not perform sampling at retail for this project. However, retailers are required to maintain sanitary conditions and otherwise not produce adulterated or misbranded product (9 CFR 303.1 and 9 CFR 381.10(a)(1)).

III. OUTREACH

A. When conducting in-commerce surveillance at a retail firm that slices or prepares deli products, Investigators are to provide the firm's management with the tri-fold brochure, *Guidance for Controlling Listeria monocytogenes (Lm) in Retail Delicatessens*. Printed copies of the brochure can be obtained through supervisory channels. The brochure is also available on FSIS's Web site at <https://www.fsis.usda.gov/guidelines/2015-0015>. Investigators are to provide this information as part of the education and outreach they perform to provide regulatory food safety, fooddefense, and other compliance information to in-commerce businesses, owners and operators, employees, and others.

B. In addition, Investigators are to provide the firm's management with a copy of the letter that explains FSIS's pilot project. The letter is available on FSIS's Web site at http://www.fsis.usda.gov/sites/default/files/media_file/2021-03/Retail-LM-Pilot-Project-Ltr-011916.pdf.

IV. TRAINING

Investigators are to review the RTE Retail Deli Tool PowerPoint on CID's [SharePoint site](#). All questions should be submitted to the Investigator's supervisor.

V. PROTECTIVE CLOTHING

When requested by retail management, Investigators are to wear disposable coats, shoe covers, hair covers, and beard covers.

VI. RTE RETAIL DELI TOOL

A. When conducting in-commerce surveillance at a retail firm that slices or prepares deli products, Investigators are to complete the RTE Retail Deli Tool in PHIS.

NOTE: While FSIS is tracking the number of retailers that follow the eight recommendations listed above to measure the status of retailers' voluntary adoption of the FSIS Retail *Lm* Guidance recommendations, Investigators are still required to answer all of the questions in the RTE Retail Deli Tool.

B. Investigators are not to ask the firm's manager or employees to answer the questions in the RTE Retail Deli Tool. Investigators are to make independent observations.

C. After completing the RTE Deli Tool in PHIS, Investigators are to discuss any vulnerability that they observed with the firm's manager or designated employees.

D. If Investigators observe direct evidence of adulterated amenable product, they are to follow instructions in [FSIS Directive 8410.1](#), *Detention and Seizure*.

VII. DATA ANALYSIS

The Data Analysis Staff, in the Office of Data Integration and Food Protection, will analyze the results monthly, and the quarterly results will be posted on the FSIS Web site in a Strategic Plan update..

VIII. QUESTIONS

Refer questions regarding this directive through [askFSIS](#). When submitting a question, use the Submit a Question tab, and enter the following information in the fields provided:

Subject Field: Enter **Directive 10,310.1**

Question Field: **Enter your question with as much detail as possible.**

Product Field: Select **General Inspection Policy** from the drop-down menu.

Category Field: Select **Sampling: *Listeria*** from the drop-down menu.

Policy Arena: Select **Domestic (U.S.) Only** from the drop-down menu.

When all fields are complete, press **Continue** and at the next screen press **Finish Submitting Question**.

NOTE: Refer to [FSIS Directive 5620.1](#), *Using askFSIS*, for additional information on submitting questions.



Assistant Administrator
Office of Policy and Program Development