



USDA Ensures Food Safety During COVID-19 Outbreak

The U.S. Department of Agriculture (USDA) is ensuring the safety and timely delivery of the U.S. food supply while protecting the health of USDA employees during this COVID-19 National Emergency. USDA Deputy Under Secretary for Food Safety Dr. Mindy Brashears and USDA Under Secretary for Marketing and Regulatory Programs Greg Ibach issued a statement [to stakeholders](#) reassuring them that APHIS, AMS, and FSIS are rising to meet the challenges associated with COVID-19.

“As leaders of USDA’s Animal and Plant Health Inspection Service, Agricultural Marketing Service, and Food Safety and Inspection Service we can assure you that the agencies are committed to ensuring the health and safety of our employees while still providing the timely delivery of the services to maintain the movement of America’s food supply from farm to fork... As we come together as a country to address this public health threat, know that USDA remains committed to working closely with industry to fulfill our mission of ensuring the safety of the U.S. food supply and protecting agricultural health,” Deputy Under Secretary Brashears and Under Secretary Ibach said in the [letter to stakeholders](#).

Major Revision of FSIS Export Library for China

As a result of the recently signed [Economic and Trade Agreement Between the Government of the United States of America and the Government of The People’s Republic of China](#), FSIS initiated a comprehensive review and update of the [FSIS Export Library entry for China](#) to align with the applicable commitments in the agreement, make it more user friendly, and correct outdated and unclear requirements. Significant updates include the expansion of eligible beef and pork products, clarification that the AMS Export Verification Program for Bovine is no longer required, the identification of facilities eligible to export beef and pork products, and an updated list of facilities eligible to export poultry products to China. The changes to the FSIS Export Library have added clarity to the export requirements for China and should enhance the efficiency of FSIS personnel that certify the product for export, as well as those in industry producing product for the Chinese market.

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FSIS Extends Comment Period on *Salmonella* Petition

FSIS is extending the comment period for a petition submitted by Marler Clark LLP, which has requested that FSIS issue an interpretive rule to declare 31 *Salmonella* serotypes as adulterants in raw meat and poultry products. The petition was submitted on January 18, 2020, and was posted to the FSIS website on January 22, 2020.

The comment period for the petition was scheduled to close on March 23, 2020. However, in response to a request received on March 16, 2020, FSIS has decided to accept comments on the petition for an additional 60 days. Therefore, the comment period for the petition will now close on May 22, 2020. The petition is available on the FSIS website at <https://www.fsis.usda.gov/wps/wcm/connect/d2a7c76e-dda9-475d-bf35-4cb69f5fca24/20-01-marler-011920.pdf?MOD=AJPERES>.

To facilitate submission and public posting of comments, interested persons may submit comments online via the federal eRulemaking portal at <https://www.regulations.gov>; by mail sent to Docket Clerk, U.S. Department of Agriculture, Food Safety and Inspection Service, 1400 Independence Avenue, SW, Mailstop 3758, Room 6065, Washington, D.C. 20250-3700; or by hand or courier delivery to 1400 Independence Avenue SW, Room 6065, Washington, D.C. 20250-3700.

All comments submitted by mail or electronic mail must include the agency name and identification number FSIS-2020-0007. Comments on this petition will be made available for public inspection and posted without change, including any personal information, to <https://www.regulations.gov>.

Fiscal Year 2019 National Residue Program Results Now Available

FSIS is announcing the availability of the U.S. National Residue Program (NRP) for Meat, Poultry, and Egg Products testing results (“Red Book”) for fiscal year (FY) 2019. FSIS uses 11 analytical methods to detect approximately 250 different chemicals, including veterinary drugs, pesticides and environmental contaminants, in both domestic and imported samples collected by the agency.

In FY 2019, 7,767 samples were analyzed under the scheduled sampling program (7,312 from U.S. federal establishments and 455 from U.S. state inspected establishments). Of these, 21 (0.27%) chemical residue violations were found. Under the inspector-generated program, 174,308 Kidney Inhibition Swab (KIST™) tests were conducted on suspect animals, and 3,569 samples were submitted to FSIS field laboratories for further analysis. Of these, 606 chemical residue violations were reported in 523 (0.30%) samples. Under the import reinspection sampling plan, 3,501 samples were analyzed of which seven (0.20%) samples had residues detected at violative concentrations. FSIS also performed 28,371 metal analyses in more than 1,600 samples.

The NRP findings demonstrate that animals presented for slaughter are generally in compliance with applicable tolerances. Any samples found to contain violative residues were considered adulterated and were condemned, thereby prevented from going into commerce.

For more information, visit: <https://www.fsis.usda.gov/wps/portal/fsis/topics/data-collection-and-reports/chemistry/red-books/red-book>.

FSIS Constituent Update is prepared by the Congressional and Public Affairs Staff, Office of Public Affairs and Consumer Education

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FSIS to Allow Implied Nutrient Content Claim “Healthy” on Regulated Product Labels

On March 19, 2020, FSIS announced in a Federal Register notice that it will allow establishments to use the implied nutrient content claim “healthy” on their labels which: (1) are not low in total fat, but have a fat profile makeup of predominantly mono and polyunsaturated fats; or (2) contain at least 10 percent of the daily value (DV) per reference amount customarily consumed (RACC) of potassium or vitamin D. FSIS is making this announcement to maintain consistent requirements for food labels by allowing the same uses of the claim “healthy” for meat and poultry products as are currently allowed for food products under the Food and Drug Administration’s (FDA’s) jurisdiction.

If a company wishes to use this “healthy” claim, it will first need to submit at least one label sketch to FSIS’ Labeling and Program Delivery Staff (LPDS) for approval.

FSIS will allow the use of this “healthy” claim until FSIS’ “healthy” regulations are amended through rulemaking.

FSIS is seeking public comments on the notice for 60 days after publication in the Federal Register.

Comments may be submitted online via the federal eRulemaking portal, available at <http://www.regulations.gov>; by mail sent to Docket Clerk, U.S. Department of Agriculture, Food Safety and Inspection Service, 1400 Independence Avenue SW, Mailstop 3758, Room 6065, Washington, D.C., 20250-3700, or by hand or courier delivery to 1400 Independence Avenue SW, Room 6065, Washington, D.C., 20250-3700. All items submitted by mail or electronic mail must include the agency name and docket number FSIS-2019-0008.

Policy Updates

FSIS notices and directives on public health and regulatory issues are available at: <https://www.fsis.usda.gov/wps/portal/fsis/topics/regulations>. The following policy updates were recently issued:

Docket No. FSIS-2019-0008 - Expansion of Use of the Term “Healthy”

FSIS Notice 12-20 - FSIS Continuing Education Program Open To All Inspectors

FSIS Notice 11-20 - Eligibility of the United Kingdom to Export Raw Beef to the United States

Tips for Faster Label Approval Process

Labels are currently taking **about 12-14 business** days to evaluate.

TIP: For inquiries about current applications that have not yet been reviewed or approved, use the “Messages” function in the Label Submission and Approval System (LSAS). Submit questions about approved applications through askFSIS, referencing the LSAS application number and the name of the staff officer that evaluated the label in the subject line.

Establishments may use the LSAS Messages function to communicate with FSIS regarding any issues for a label application that has not been reviewed or approved. LSAS Messages are a useful means for submitters to communicate information about their applications that are submitted, but not yet adjudicated. For example, in the Messages function, a submitter can use the system to convey that a specific document was accidentally omitted from the application. Establishments may also use the LSAS Messages function to communicate with the FSIS staff officer regarding comments on a recently returned label application.

Once a label has been approved or approved as modified, the most effective way to ask questions about that label is to use FSIS’ online question and answer portal, [askFSIS](#). When submitting a question about a specific label that has been approved or approved as modified, or even returned after a lengthy period of time, establishments should use [askFSIS](#). In [askFSIS](#), a submitter should include the name of the staff officer and the 8-digit LSAS application number in the “Subject” text box in [askFSIS](#) to ensure that the question is routed appropriately.

For assistance on using the LSAS Messages function, please see the “Application Messages” section in the LSAS User Guide beginning on page 48 at <https://www.fsis.usda.gov/wps/wcm/connect/45a29f18-52cc-4012-8790-ab7ea9f980c9/LSAS-Industry-User-Guide-063015.pdf?MOD=AJPERES>.

To log in to askFSIS or to create an account in askFSIS for the first time, please visit: https://askfsis.custhelp.com/app/utils/login_form/redirect/account%252Fquestions%252Flist?p_ptaid=fUn4v_%7EgU20yvJ4WGEYg3Q48yCYG65I00lmcs9urY5vajLmdRwz7k5tvD20Wc%7EHDXZiR_7E0x31k4sgwWSYAaSto2uTiFEfu4YpgN3wJSFuhCPEZxL9R1S_Q%21%21.

FSIS will continue to provide updates regarding label turnaround time, as well as suggestions to assist industry to streamline label submissions in its *Constituent Update*.

Export Requirements Update

The Library of Export Requirements has been updated for the following countries:

Chile
China, People's Republic of
Colombia
Cuba
Curacao
Honduras
Hong Kong
Jamaica
Japan
Jordan
Korea, Republic of
Morocco
New Caledonia
New Zealand
Nicaragua
Peru
Qatar
Singapore
South Africa
St. Lucia
Taiwan

For a complete list of countries, visit <https://www.fsis.usda.gov/wps/portal/fsis/topics/international-affairs/exporting-products>.