UNITED STATES DEPARTMENT OF AGRICULTURE

FOOD SAFETY AND INSPECTION SERVICE

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In the matter of: *
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NATIONAL ADVISORY COMMITTEE *
ON MEAT AND POULTRY INSPECTION *
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Via WebEx

Friday,
September 25, 2020

The above-entitled matter came on for hearing, pursuant to notice, at 9:00 a.m.

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VALERIE GREEN

A P P E A R A N C E S

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I N D E X

P R O C E E D I N G S

(9:03 a.m.)

AT&T EVENT PRODUCER Welcome and thank you for joining today's conference, National Advisory Committee on Meat and Poultry Inspection public meeting.

Before we begin, please ensure you have opened the chat panel by using the associated icon located at the bottom of your screen. And if you require technical assistance, please send a chat to the producer.

To submit a written question, select All Panelists in the dropdown menu in the chat panel, enter your question in the message box provided and send.

To minimize background noises in this call, please ensure that your audio device is muted. As a reminder, this conference is being recorded. And with that, I'll turn the call over to Val Green, moderator for the committee. Please go ahead.

MS. GREEN: Thank you. Good morning and welcome back everyone. My name is Val Green, the designated federal official for the National Advisory Committee on Meat and Poultry Inspection.

And I'll also be serving as your moderator

for today. Before I begin, I would like to acknowledge the participants dialing in from the West Coast especially our committee members.

We had an early start yesterday, which means that some were up and on the line as early as 5 a.m. Pacific Standard Time. Thank you, committee members for your time and participation in this event.

Now I'll start with the updates to the agenda. We did not receive any request for public comment, so we will -- that time for the subcommittees to reconvene and complete their report.

After the deliberations, we'll return to the main event line and the subcommittee chairs will have 30 minutes each to present their recommendations to the full committee.

We will take a break and ensure that each committee member receives a copy of the subcommittee report. When we reconvene each chair will lead the discussion of their subcommittee's recommendations and lead the full committee to a final vote.

Are there any questions from the committee members? Okay. We'll move right into the deliberations. And for the committee members, the

dial in information for Subcommittee 2, we'll use that information to dial in and to begin your deliberations.

Michele, would it be possible to also provide the breakout session dial in information for the participants, for the attendees in the chat feature?

AT&T EVENT PRODUCER Sure, I can do that as well.

MS. GREEN: Okay. So the deliberations are open to the public, so you're welcome to stay. And we'll return back to this main line at 10 a.m. for the committee report.

So for those staying on the main line, I'll go ahead and turn it over to Patricia Curtis, the subcommittee chair.

DR. CURTIS: Thank you -- this on the screen are recommendations that we came up with yesterday. Thank you. Let's start where we left off.

I think we got tired yesterday afternoon when we were reviewing the wording on our recommendations for Question 1. So I want to open that up for further discussion this morning.

MR. GUNTHORP: Hey, this is Greg. Any

chance somebody can tell me the Event ID and for, I can't get my website to work.

MR. GREMILLION: Yeah, this is Thomas. I'm having the same problem.

MS. GREEN: Did you all receive the email from Michele?

MR. GUNTHORP: Yeah, I did it, right click. I clicked on it and it just keeps giving me an error. The event is finished.

AT&T EVENT PRODUCER Well is that the email you got this morning? Like --

MR. GUNTHORP: Yes.

AT&T EVENT PRODUCER -- it's just someone that has the WebEx link ending in 832784.

MR. GUNTHORP: I've got 832752.

AT&T EVENT PRODUCER That's the breakout one. That's another session. So you need --

MR. GUNTHORP: 784?

AT&T EVENT PRODUCER 784 is the one I just sent. I've already sent it to you Greg, and who else didn't get it?

MR. GREMILLION: Thomas. Yeah, mine, the email I got today is also 832752.

MR. GUNTHORP: Okay. Yeah, it's starting WebEx for me when I changed that number. Thank you.

AT&T EVENT PRODUCER Sure. I'm sorry, the other person was Thomas?

MR. GREMILLION: Yeah.

DR. CURTIS: Your email on the list that I was sent, so give me a second. Thomas, I'm sorry, Val, if you do have Thomas' email, can you send that to me in the chat? I don't see that on the list.

MS. GREEN: Okay. One moment. Sure.

DR. CURTIS: Sure. Okay. Can everybody else, everyone else see the website and the information we have up?

MS. RICE: Yes. This is Kim.

DR. CURTIS: Thank you. So could I go back and see then if anybody has any work missing that they wanted to do to the response to the first question?

There seemed to be some discussion about wanting to make some changes to it yesterday afternoon. I see we have a quiet group.

MS. RICE: The coffee probably hasn't kicked in at this point. Hey this is Kim. On the third line until documents are available, assuming that's the sentence we keep or the structure we keep, what we mean there is until additional peer reviewed, journal articles and/or scientific

support, correct? Do we need to make that more clear?

DR. CURTIS: Okay.

MS. RICE: Or were we talking about the guidance document or both?

DR. CURTIS: I think we were talking about both. Others want to comment?

U/F: We might take out the beginning of the sentence, we agree that. It doesn't really matter if we agree or not because it is a declaration. We could just change that to every establishment must have.

MS. RICE: I'm good with that.

U/F: And then maybe just delete what's in the, kind of the second option, what's in the, I can't remember what these things are called, little piece.

DR. CURTIS: Everything was in the first, please delete.

U/F: Yes. I do need more coffee.

DR. CURTIS: Okay.

U/F: I'm glad I'm the only one that does that occasionally.

DR. CURTIS: Other changes?

U/F: The last sentence of that first

bullet, there would be one authority within, can we, would it be more direct to say there should be one authority that is responsible for reviewing the support?

U/F: Do we want to add something because of that specialized content or just leave it that it, you know, while the, while the discipline needed as opposed to be open for others to review other validation information.

I guess, a reasoning, but while we, it should be only one.

MS. RENDON: This is Tina Rendon. I agree with that, that due to the specialized nature of the products or the process.

U/F: And again, I think it's on the first sentence of that bullet where we say, but an establishment may not be able to build this. What if we change the wording to something like, when the establishment may lack this information, or something like that.

Because I don't, honestly in my opinion, I don't want to give them an out. I want to recognize that they don't have it and that, you know, we're trying to help them get that information.

U/M: I agree with that. I had the same

concern.

U/F: But then the establishment may lack the appropriate peer review journal articles and scientific support.

DR. CURTIS: Any other changes?

U/F: What if, what if, I'm trying to be more of an elitist on this, which just makes sense. They lack the appropriate tools used, journal articles and scientific support to do so.

And just delete everything between support and to, or am I misreading that?

MS. RENDON: This is Tina. I would agree with that.

U/M: I disagree, if this possibly, delete it if you do so, because that's just, I don't know, basically --

U/F: Maybe at the end of so and at this time, because then there's an out when the, when the articles are available, they can no longer do this nonsense. Not this nonsense, but you know what I mean.

MS. RENDON: This is Tina Rendon. Do we need to delete the rest of that sentence?

DR. CURTIS: I think that, I think so. That sounds rather redundant. Other changes?

MS. RENDON: This is Tina Rendon again. The part where we're talking about testing, so the third to the last line there on that bullet. This may be in combination with the increased FSIS's testing.

What we want to say, this may be increased, that this may be in combination with increased FSIS's and/or plant testing? Or and plant testing.

DR. CURTIS: Okay. Because we, okay.

U/M: Yeah. I think that will be good.

U/F: Or should we just make the sentence, increased FSIS's and plant testing may be required, period. At least, yeah, that --

U/F: Then change plant to establishment for consistency.

U/F: Agreed.

DR. CURTIS: Thank you.

MR. GUNTHORP: And so the idea if they can't meet the existing regulations then FSIS and the plant should be conducting testing, which I'm thinking they would otherwise. This is Greg.

DR. CURTIS: Is that the assumption everybody has? Just want to clarify.

U/F: Can you, can you repeat that?

MR. GUNTHORP: The idea is that, that the

thousand of them that haven't validated have a plan that meets the regulations, then the additional, increased FSIS and the plant testing is compensating for that, you know, lack of a validated test plan.

U/M: It sounds right to me.

U/F: And that establishment potential for testing and holding is only if they're using, I guess the scientific information that demonstrates logs and above log reduction.

Otherwise that does not apply, just out of curiosity. Although they need to actually do test and hold in combination with, regardless of the scientific articles they used.

MS. RENDON: This is Tina Rendon. I think the intent would be either their scientific document doesn't say that or their process doesn't match the scientific document to get a five log reduction or they're still filling in those gaps?

U/F: Could we just split this into two recommendations? Either they have a combination of documents that are, you know, not so great and they submit them, and they might have to do some extra testing or they can test and hold.

U/F: Everybody agree with that? Anybody disagree with that?

U/M: And so this, they could be, this would be allowing them to do testing, to test and hold indefinitely? Is that the, that's the idea then?

U/F: I'm still having trouble hearing you but, at least I'm --

U/M: Sorry. So that would, either they meet the regulatory requirements, or they can do test and hold indefinitely? Or is that --

U/F: Well I think it's not, the, well in really, in the real life is, there'll be three options. They can meet the regulatory requirements. So you don't even need any of this.

Option 2 would be, you can't really, you don't really have all the scientific support, but you submit your Frankenstein plan of journal articles to LIMS (ph.) or whoever.

They approve it and say, okay, yeah. It's great. You might have to do some extra, no, you're going to have to do some extra testing. Or three, you just test every lot.

What your, you know, the little guy, he doesn't, or doing a small lot, that's not very economical. But if you got a huge lot and you only have to spend $35 for ten samples, that's, that's

probably easier than, you know, having to go through LIM to do extra testing, and blah, blah, blah.

So I was just saying maybe those should be two separate options. Either you can do test and hold, if it's financially viable for you, or you could do this.

Put together a bunch of articles that aren't quite right, submit it to LIMS, see if it's okay, and then maybe have to do some extra, FSIS has to do some extra testing. But that was my take on it, but, you know.

DR. DE MELLO: Right. This is Amilton from Nevada. So one point that's important here, too though. Yesterday, I think it was Greg mentioned that there are some products that require more than 90 days for curing or aging.

And we know that a HACCP plan has 90 days of a period. So I think we should add, stop it here, a bullet point that for products that need more time for the process or whatever, does 90 days maybe expanded if -- does it make sense?

U/F: Well throw those two together. I can't speak for others. I asked that. If I have a facility that needs more time to validate their process plan more than the 90 days, if they show me

that they've, they've, you know, they're making a good faith effort to collect the data.

But they haven't had enough days of production yet, you know, enough data yet to prove it, I always grant an extension and I was under the impression that FSIS does the same.

MR. GUNTHORP: This is Greg. I think it would be a good thing for that to be in the compliance guidelines though to spell out the, for products that have a very long drying period.

That it's clear that it's going to take more than 90 days to validate a process, you know, 12 lots or 12 weeks production minimum or something like that.

But I'm a big fan that if USDA could give little plants some safe harbors, and then if they want to go above or beyond, or want to do something different, then that has to support it.

But, you know, I know lots of little processors that get into some really serious pissing contests with the in-plant inspectors over, you know, is this enough, that enough.

It's, you know, if USDA could make that clear, it'd be great for the little processors. It just, so like my hams, there's no way you can

validate a ham process in 90 days when they take a year of drying.

U/F: Should we put that under point, under Question 2 where we're discussing guidance?

MR. GUNTHORP: Yeah, that would probably make more sense.

U/F: Yeah. That's part of the gathering's recommendations.

MR. GUNTHORP: This is Greg again. So what I'm basically hearing out of our recommendations, and correct me if I'm wrong, is that first and foremost, we would encourage people to produce products and come up with a validated, five log reductions.

If not, then we're, they are going to extend their support to LIMS or somebody else and they're going to make a determination whether that's acceptable.

And then the final alternative would be that they would do some kind of producing with a test and hold, which would also have to be approved by LIMS or someone.

DR. CURTIS: That appears to be what our recommendation is, yes.

MR. GUNTHORP: Okay.

U/F: What test and hold would have to be approved by LIMS? If you just made that in your HACCP plan, I'm going to test every lot? I don't know if LIMS would have to do that. I don't know. Maybe --

U/M: LIMS is going to make the --

U/F: -- -- can say --

U/M: -- determination on the, on testing frequency, how many tests need to be done before that product there enters commerce. You know, the, I mean those are the things that pop into my mind.

U/F: I see what you mean because we discussed 10 to 15 amount, or 10 or 15 using whatever guidelines are. If you guys, everybody out in the field is going to know that. So yeah -- --

U/M: And then me as a, me as a plant owner, I don't know that I wouldn't feel comfortable producing a product and shipping it right off, just the first set of tests because say you had a really, really low frequency of bugs.

It's just going to take tests before you would figure that out anyway, right?

U/F: So you would want, what you're saying is you would want FSIS to approve your testing frequency?

U/M: Oh no, I don't know about that. I'm saying that me as a responsible plant owner, I would want to do more than, just test more than one batch before I sent the stuff out to commerce.

Because heaven forbid my, say my third batch, I figured out that we were going to occasionally get salmonella or listeria slipping through our process, and then I've already got two batches out in commerce.

So I think it's, you know, that whole testing and holding concept is kind of, you know, we talked about earlier, it's kind of contrary to pass up in the, you know, you can't, you can't test it all.

Unless you test it all, you don't know that it was negative.

DR. DE MELLO: This is Amilton. You know, Greg, it was today that we need to have an idea about, you know, how many repetitions we need to have and how many applications we need to have in that relegation, if it is a conversation. Is that correct?

MR. GUNTHORP: Yeah, that's what I'm saying.

U/F: Would you, you wouldn't have actually

conflated your validation study if you just run the test one time either.

DR. DE MELLO: Yeah. That's why I asked about the frequency and how many times.

U/F: So you'd take test and pull it off the tables? That's the recommendation?

U/M: I don't know. I like the hold concept, the test and hold, you know, along with, you know, like that blue ribbon test course where they're, you know, you're doing a validated two log reduction, and then you're testing and holding.

You know that is scientifically supportable in that, you know, if you're starting with good source material that, you know, you haven't temperature abused, and you know you had process control on slaughter.

You probably didn't have a higher log reduction than that. You're testing to show that you didn't. And then turn around and do your process.

I mean I, that's where I, I think that this, I think it makes sense. I just don't think it's going to require someone with some very good knowledge of food safety and processes to be able to be an unbiased determination of whether the process

makes sense.

And that's where I still think that it's going to be LIMS or somebody like that because I don't know that most in-plant inspectors have that kind of knowledge and skillset.

U/F: So do we want to go back and combine these into one recommendation, or do we want to leave that as a separate recommendation?

U/M: I mean I still think it's a three-tiered recommendation and I really like that three tier, that validated five log reductions. The ideal, the combination of resources to come up with it and LIMS looks over that or test and hold with substantially lower reduction.

U/F: Maybe move the sentence up. The one that says, increased FSIS and establishment testing may be required, move that up to follow point one, combine the best possible scientifical source. Maybe it just needs to be after each one. I don't know. But --

MS. RENDON: This is Tina Rendon. So on that note, I do like moving that increase FSIS and establishment testing will be required to that first one.

The second one, since we're talking about

in association with test and hold, maybe we just say the increased FSIS testing may be required, after that one.

U/F: Agreed.

MR. GUNTHORP: No I think that -- this is Greg again. I think that makes sense, too because, you know, if you look at Listeria in ready-to-eat products, you know, USDA clearly has delineated certain categories that they don't test as frequently such as cook-in-the-bag product.

But it's a significantly less risky product. And so USDA could differentiate between products on which classes would be less supportable and therefore possibly more risky.

DR. EBERLY: This is Jennifer. So maybe that last sentence that's not with the point, it says there should be one authority. I think we, have we agreed that, that one authority should be responsible for both, either of these?

So there should be one authority but then FSIS should be responsible for reviewing the support due to specialization of the processes or reviewing an establishment's test and hold process proposal, something like that?

MS. RENDON: This is Tina. I would agree

with that.

U/F: Any other changes?

U/F: That same sentence, which says there should be one authority then FSIS will be responsible for, maybe change that, responsible for to reviewing the, I don't know the right words. I want to specify, reviewing the, reviewing --

U/F: I would --

U/F: Those words.

U/F: That would --

U/F: Something like that.

U/M: You could say, assessing risk, kind of doing, is that right? Reviewing the extent to which the --

U/F: It's approved use of, I don't want to say questionable, because that's not -- reviewing the proposed combination of imperfect support documents.

U/F: Isn't that their validation plan? Aren't we just asked --

U/F: Yes.

U/F: -- to review their validation plan?

U/F: Yeah. That would be, that would be good.

U/F: So it's which ever options they

choose. It's their, the establishment's validation plan.

U/F: Maybe we change --

U/F: I like that.

U/F: -- we're reviewing your establishment validation plan due to what, we could just say, the use of multiple support documents, something like that.

Because it's not because of the process is complicated. It's because they're using documents that are maybe not perfect.

MR. GREMILLION: This is Thomas with Consumer Federation of America. So the, it seems like test and hold proposals are part of the validation plan.

So maybe, so maybe that should be, reviewing the establishment validation plan, including any test and hold proposals, due to, and then put all that.

And if in moving that, we're reviewing establishment test and hold proposals to the end of that. Does that make sense? But maybe I'm, maybe I'm misconstruing what was the aim of the previous one.

U/F: I like it, but maybe we should put at

the end of reviewing the establishment validation plan for fermented, salt cured or dried products, so that people don't say, well, I'm going, you know, that where we're really only recommending it for this particular type of product.

So people don't just go crazy and like, well, I'm going to use these documents for my slaughter and, you know, where there's plenty of documents for those products.

MR. GREMILLION: Yep. Okay. Well --

MR. GUNTHORP: This is Greg. I'd kind of like to see it as the, only on the processes that didn't validate a five log reduction or where there's differences from the support paper.

I'd prefer not to have to send in a validation and get them approved on processes that are clearly in compliance with 417 with the HACCP approved.

U/F: Well maybe, so including a test of whole facilities, when the establishment is using multiple support documents that do not -- because not is not quite the right word.

But not using, well, I know what you're trying to say, Greg. I do, you know, but if you don't want to have to send it in if everything's

good --

MR. GREMILLION: Yeah. Well, so this is Tom again. Maybe when an establishment is using non-standard.

MR. GUNTHORP: This is Greg again, because it's almost like what we're doing is proposing something similar to the waiver, you know, request that establishments put in, which little plants, I don't think ever are involved in that.

But, you know, USDA does grant waivers to the regulations. And what we're really saying is that some of these products aren't able to clear they're, in all likelihood, completely safe but with current science support it's, there's minor differences here and there.

U/F: I think like when they can't make standard report requirements.

U/F: Well we don't, we want them to meet some requirement. But when we say, some scientific documents, we're not completely exact parameters of their process, something like that so, I just don't want to give everybody a license to, you know, --, I guess.

So, you know, the documents need to be at least somewhat in the realm of what they're actually

doing, their process.

U/F: So would it help if we changed, there should be one authority within FSIS that will be responsible for reviewing the establishment validation plan for non-traditional niche or niche.

However you say that, fermented, salt cured and dried products, including any test and hold proposal, blah, blah, blah. And then stop the sentence at, when the exact parameters of their, when scientific documents do not meet the exact parameters of their process.

U/M: I agree with all of that.

U/F: And maybe we want to put, save the specialized, so do not meet the exact specialized parameters because that's specialized. Because that's really what we're saying, right?

A slightly different formulation. It's a slightly different process. It's a slightly different diameter. Whatever it might be.

MR. GUNTHORP: Yeah, this is Greg. I think that's what we're saying because I think we're saying that they still have scientific support. Theirs is just differing slightly from it.

You know, and that, there's, I'm, I'm okay with it as long as is it's clear that the people

that are producing processes that are consistent with their support papers and have paperwork for five log reductions that we're not dragged into this.

And I'd almost bet that USDA would hope that not everybody in the country, you know, like was mentioned the fact they're getting stuff for slaughter paperwork and everything else imaginable.

MS. RENDON: Tina Rendon. I agree with the way it's worded here. I think it's good.

U/F: Okay. Anybody disagree with the way that we are, what we have here for the response for Question 1? Are we ready to move to Question 2 just for a quick review?

MR. GUNTHORP: This is Greg. One more question and then I'll shut up. Is Meryl on the line this morning?

MS. SILVERMAN: Yes. I'm here.

MR. GUNTHORP: Yeah. Is, I have a question. Is this something that right now is a very small establishment sent documents, is this something that USDA would give them an answer on, on whether their process was supportable?

MS. SILVERMAN: Yes. So we do review through Ask FSIS supporting documents, either that

would be submitted by FSIS personnel or establishment.

Ultimately the determinations made by the inspector in the establishment or other personnel like NEIO (ph.), but we can give policy feedback whether the documents meet our recommendation. So does that answer your question?

MR. GUNTHORP: Yeah. That answers my question. So somewhat similar to what we're saying should be happening right now.

U/F: Yes. So it's not like a standard process. It's, it's a courtesy, I guess right now if somebody asks.

U/F: I guess, I guess I would say, Greg, though that our recommendation is a little bit this because Meryl says that the guidance on policy there's no, they're not actually the ones who are going to approve it.

So it's the concern that different districts are going to do different things by putting --

MR. GUNTHORP: Oh yeah, exactly.

U/F: -- that authority on LIMS, that, I think that, that would solve the problem of this district allowing it, but the other one not.

MR. GUNTHORP: Oh yeah. I mean I completely agree. I was just asking. Something was said, it made me think that they're probably doing some of this now.

So I think it would just fit in their wheelhouse. I like the recommendations.

U/F: Okay. So are we ready to move down to Question 2 now? Everybody agree with this one? Anybody opposed?

U/F: I agree.

U/F: All in favor?

ALL: Aye.

U/F: Let's move to the next question and take a look at these recommendations and see if there's anything you want to change on these.

DR. EBERLY: I did some, I did some rewriting this morning. Nothing that changes the meaning, I don't think. But if I could just suggest because it sounds better, on the first, this is Jennifer Eberly.

The second bullet where it says updating the list of state passive contact and coordinators. I thought may be should end the, that sentence with, so they may provide the FSIS reviewed and approved journal articles to producers trying to write

passive plans for these products.

Just so it doesn't seem, we may know what it meant but rereading it this morning, I'm not sure it was clear why we wanted them to update the list. And I'd change that to, that bullet to, approved journal articles to establishments producing these products.

U/F: But see the approved articles are going to be in bias, right?

U/F: Right. They should be. But I thought the point was to, so they would know what it was before the guidance comes out, which may be a couple years.

U/F: Right. I just thought that the list, that -- of the list was to provide contacts for those small plants that may need a system, and figure out how to do this at all, not just for the journal articles.

U/F: Okay. You can --

MS. RICE: This is Kim.

U/F: Hi Kim. Go ahead.

MS. RICE: Sorry. I was just going to say, can we change what she just said, not get rid of it all but add to what, I think it was Patty who was talking, to basically clarify to assist small and

very small processors with the validation process because that's really what we're trying to do here.

MS. RENDON: And this is Tina. Maybe we do, comma, including assisting, locating the journal articles or providing them, including providing them.

U/F: Right. But I think part of it was as the producers, somebody like Greg, who, if he doesn't have a Scott, somebody who works with the university to provide the articles because it's --

U/M: Scott?

MS. RENDON: I like it. This is Tina.

U/F: Another suggestion.

DR. EBERLY: Well this is Jennifer. On the next bullet point where it says, establish working with scientists working in this area. Should we just put working in meat science?

U/F: Working in meat science won't mean that they're particularly, they may or may not be working at, specifically in that type of product. But if you want to broaden it, you can put in meat science.

Or we don't have to put anything about the working group. What do you all think? Do we need to --

U/F: I just didn't, the statement says area. I'm like what area? If I was somebody else reading it. That's all I was responding to.

U/M: Okay. Those things will define general. Food science would probably be better. Maybe.

U/F: I would change it to read in the artisanal niche shelf stable are -- fermented, self cured or dried products area.

U/M: That would be very --

U/F: Well again the question is very specific. Right? They're asking us about those products and what to do about those, the folks producing those products who don't have this information. And this information doesn't exist.

DR. DE MELLO: Right. I understand that. But so, because you're going to force that producer to look for somebody out of state, in my, in my understanding you might be to find anybody in your state that understands fermentation, pH drop, like the microbiology.

So I think that the majority of academia understands what should be done there.

U/F: But Amilton, with that, this is an established workgroup to help FSIS and others figure

out what the gaps are. Not to provide one on one work with the producers. That's what the bullet above is about.

DR. DE MELLO: All right.

U/F: At least that was my understanding of the workgroup.

U/F: My only --

U/F: This is -- that was --

(Simultaneous speaking.)

U/F: I was just going to say --

U/F: -- is terrific.

U/F: -- and that is --

U/F: I'm sorry.

U/F: Go ahead.

U/F: Go ahead.

U/F: No, you. I'm done.

U/F: Okay. My only concern with being as specific as ready to eat niche artisanal, fermented whatever, are there enough scientists working in that area to form a working group?

I don't know. Maybe somebody from the universities can tell me, are there enough people there to formulate this group?

MS. RENDON: This is Tina Rendon. So whenever, I mentioned this yesterday because my

thought process was the scientists that have done the work as far as the scientific journal articles, or whatever that Meryl and their group has identified.

Maybe reaching out to those scientists, and then the ones like, I apologize, the guy from Ohio State who said that, I believe he was the one that has worked with some of the companies in Ohio or something that was said yesterday.

Someone on this group, I apologize. I don't remember who. But maybe they could be part of the working group that falls under this subcommittee, more or less, so it's not, you know, some random working group.

It's one that FSIS would work with to get the scientific support and identify those gaps and fill those gaps, similar to what they did with Appendix A. I know NAMI headed up that working group but similar to that.

U/M: -- the one that you were trying to think of a minute ago, but here's the other question. I think there's enough people. I don't want the group to be too big to be functional.

But I think there's enough people that have worked in this area to set up this working group.

And I do, I do like being more specific, because I was just thinking if the other break out group was looking for somebody to work on E. coli testing and whatnot.

I don't think I would want to be part of that working group because that's not an area that I have spent a bit, you know, a lot of time on. But I do like the idea of being a little more specific about what this working group's going to be involved in.

U/F: Any other recommendation for changes for any of our last bullets or --

DR. KNIPE: Yes, this is Lynn Knipe again. And then that C bullet point there with establishing working group. We had talked yesterday, and I didn't get a copy last night of the discussion points yesterday.

I don't know if anybody else did. But at one point I don't know whether we add to this or make a separate bullet point, but we were talking about using these, actually identified parameters to establish, I guess they call it, validated processing guidelines actively as safe harbors. Is that still an interest to the group?

U/F: And they have this workgroup then

establish safe harbor?

U/M: Well --

U/F: So you're --

U/M: Yeah. They will work to identify the parameters that would be used in establishing validated processing guidelines. They might have to do some research to, it would almost be like making Appendix A for this product category.

U/F: You're right. We talk about having them establish the criteria, right, for the key points.

U/M: But I don't whether that would go in that same bullet point or do we start a new one, or I'm not quite sure how that would do that.

MS. RENDON: This is Tina Rendon. I would agree with that unless Meryl and the group already have some of those established through the guidance document they're working on. But I would agree with that. This is Tina Rendon again.

U/F: I want to do a time check. We have six minutes left. Is that correct?

U/F: Yeah.

U/F: This is --

MS. GREEN: Do you need additional time? This is Val Green. Do you need additional time to

continue?

U/F: I think we just need just a few minutes to finish up the working group here.

MS. GREEN: Okay. That's fine.

U/F: The bullet point on that. It won't be long.

MS. GREEN: Okay.

U/F: Why don't we just add that under our working, as a part of the working group up there to, how did you, how did you word that Lynn? Establish --

DR. KNIPE: The validated processing guidelines.

U/F: So we want it as a part of the working group in a separate or is that open? Which do you want --

DR. KNIPE: Go ahead. It kind of flows with that working group concept. But I --

U/F: Okay. Yeah. In our notes yesterday we did say, establish a working group to look at the data that is currently available to identify gaps and establish critical parameters that would need to be met for products or processes.

DR. KNIPE: Yes. Um-hum. I like that. I don't know what everybody else thinks.

U/F: I like it.

MS. RENDON: I agree. This is Tina.

MR. GREMILLION: Yeah. I agree. This is Thomas.

U/F: Okay. Anything else or are we ready to move forward with these recommendations?

MS. RICE: So this is Kim. I'm sorry. The next three that say, include, include, include. So what include, those are part of the guidelines? Make the guideline publication a high priority.

We might want to move that up and then all of those others are under that publication.

U/F: Yes.

MS. RICE: What we --

U/F: That makes more sense.

U/M: Yeah.

U/F: Yeah.

U/F: Those others are just stuff for what's under that. Yeah.

MS. RICE: The three includes?

U/F: Yeah.

MS. RICE: So you can't, yeah.

U/F: Okay. Does that make more sense to everybody?

U/F: Yes. It does.

U/M: It looks good.

U/F: Okay.

U/M: Yep.

U/F: Everybody, anybody, yeah, opposed to the right, any of the recommendations that we have here? Okay. We will include that these are our recommendations from our subcommittee. And then --

DR. EBERLY: Okay. One -- sorry, this is Jennifer. That sentence establish working group. Does that make sense? I feel like there's, we did phrase twice.

It established which of those that need to be met. And establish but it's, and it says, and establish critical parameters twice. Right. It repeats itself.

U/F: Oh, it sure does. So it's the second and.

U/M: One of those is a copy and paste issue. It looks identical.

U/F: It just deletes all the way over to the -- and then to the sentence, to the, to the period from where the person is now to the period.

If that's deleted, I think it would make sense then, maybe. If -- critical, it would need to be met for product or process, period.

U/F: Yep. Good catch. Anything else?

U/M: Then we just took out the guidelines. Didn't we?

U/F: No. And establish which critical parameters would need to be met for the product and process.

U/M: Okay.

U/F: You could put, to be included in the guidance when published. I don't know.

U/F: Well that's what the guidance is focused on is a, is it not, for what the working group will provide?

MS. RENDON: This is Tina Rendon. I think it would be good to just clarify that, that will be the guidance document. I agree with Jennifer.

U/F: Any other corrections?

U/F: And Val, if you're still, I think we're finished.

MS. GREEN: Okay. Thank you.

And I believe Subcommittee 2 is joining us as well. May I take your recommendations up? Then we'll roll right into the brief. Is Casey on the line? Has your group returned?

MS. EDELSTEIN: This is Rachel. It's taken me a while to reenter. Other people might be having

this problem, too.

MS. GREEN: Okay. Michele, can we ensure that the committee members are added to the panelists?

AT&T EVENT PRODUCER Sure. I'll take look and add them. Thank you.

MS. GREEN: All right. Everyone please hold. We'll start on the panel. We're waiting for Casey Gallimore to join. I think she just joined. Robert Witte to join.

MS. GALLIMORE: Casey Gallimore's on.

MS. GREEN: Okay. Tina Conklin?

MS. CONKLIN: Yes. Tina's here.

MS. GREEN: Thomas Gremillion?

MR. GREMILLION: I'm here.

MS. GREEN: All right. Okay. I believe we have Subcommittee 2 on the line.

Welcome back everyone. We'll begin with the report out from Subcommittee Chair, Dr. Patricia Curtis on the recommendations for validation of Ready-to-eat Shelf-stable Multi-hurdle Lethality Treatments. I'll go ahead and turn it over to Dr. Curtis.

DR. CURTIS: Thank you. This committee worked on trying to figure out how would be the best

way to address the issues posed to the subcommittee on the fermented, salt-cured and dried products.

Because we're seeing more and more of the small processors working in the artisanal type of products coming in here, and they're have, they would have a problem meeting the traditional validation requirements.

And we had a long discussion about that, which is sort of backwards for Question 2. But I'll, I'll start with why our recommendations were in order of what the questions were raised by FSIS.

And the first question was what actions should FSIS take when it determines that an establishment lacks scientific support for the lethality treatment of a fermented, salt-cured or dried product.

And the issue that you run into here is we're currently are not sufficient articles to cover the areas needed to provide the traditional validation requirements for a HACCP plan.

And to do this, what a large company might to is go out and get a challenge study done. But that's very expensive and not economically feasible for many of these small producers.

So what the committee determined was that

there were several things posed for options. And after much discussion the best that we could come up with for them was to come up with the best possible combination of available scientific support documents.

Albeit these may not match exactly the product parameters that meet their particular product, which means it's not, it wouldn't normally be approved under a traditional validation plan.

But there's not anything there for them to really match up currently. So the idea was that they would be able to do this the best they could of the best science that would be available and match that to theirs.

And add with that maybe some increased FSIS or establishment testing to require, to make sure that this was really working with their product, is one option.

Or the second option, to use scientific support that demonstrates less than five log reduction, potentially in association with test and hold.

And this would probably also mean increased FSIS testing would be required. The one thing that we did agree upon is whatever the establishment

chose to, the option they chose to take that if they couldn't meet a traditional validation requirement then there should be one authority within FSIS that would be responsible for reviewing the establishment's, the validation plan for these nontraditional niche fermented, salt-cured and dried products.

Including any test and hold proposals when the scientific documents did not meet the exact specialized parameters. And we felt that it needed to be one authority within FSIS who truly understood all the niche approaches and the scientific information needed to do that, to figure out if they matched with that approach.

Moving to Question 2, it supports some of the things that we were talking about those plants needing. And right now there is really a lack of information for the establishment to use.

But according to our FSIS people, they said that there's a pre-publication list of journal articles that they have in, or they're working up their draft guidance for this group.

And so the committee felt that it would be best if we could go ahead and make a pre-publication of all the peer reviewed articles that have already

been collected by FSIS available to those plants now, while we're waiting for the publication of the guidance document, knowing it may be quite some time before the actual guidance documents come out

Another thing that we thought is that a lot of these small processors may not really know who they can approach to help them figure out how to validate their plan.

And FSIS currently has a state HACCP contact and coordinators list that is often used by FSIS when they recommend for processors to get assistance. But that list is somewhat out of date.

And the committee thought if we could recommend updating that list, that it would provide and assist small and very small processors, would name the people who could help them with the validation process.

And especially to be able to access these journal articles once FSIS's released the list of these articles that they had for the guidance document.

They compress (ph.) the processes may not be able to actually access the articles but the people on that HACCP contact and coordinator's list would be able to obtain copies of the articles for

the small processors.

And the cause, moving to the next bullet, the cause there is a number of gaps and a lot of questions regarding this process yet. The committee recommends establishing a working group basically made up of scientists working in this niche market to look at the data that is currently available and help identify gaps.

And particularly to establish which critical parameters would be needed to be mapped for a product and a process that, and to have this information then included into the guidance document that FSIS is creating.

We want to make that guidance document a high priority at the conclusion of the working group activity and then we have several things we wanted to make sure that was included in the guidance document including the resource of the niche meat processors assistance network.

And including a multi-hurdle approach that allows the process that support less than five log reduction of salmonella. And then to include guidance on extended validation time for those products with long processing times than the guidance.

These are the products, normally you have 90 days for validation. Some of these types of products require a lot longer than 90 days to complete the process.

So in order to get enough products made to validate the process, they would need a longer time in order to get their validation done. And then to recommend that research that is identified for those gaps to be complete.

I have priority within the Agency and to have make these priorities known to funding agencies so that those gaps could be filled with research to address these areas.

And so with that, I'll be glad to try to answer any questions, or my committee members might have some additional things they would like to add.

MS. GREEN: Thank you, Dr. Curtis.

Next we'll hear from Subcommittee chair, Subcommittee 2's chair, Ms. Casey Gallimore on the recommendations for FSIS testing of boxed beef primal and sub-primal products for Shiga toxin-producing E.coli.

Michele, please give control of the screen to Ms. Gallimore.

AT&T EVENT PRODUCER I'm sorry. Can you

repeat that name again?

MS. GREEN: Casey Gallimore.

AT&T EVENT PRODUCER Okay. One moment.

MS. GREEN: While we're waiting for her to pull up the recommendations -- all right. Okay. We'll go ahead and get started.

MS. GALLIMORE: Thank you. As you all know, we were charged with the question, if an establishment identifies boxed beef primal and sub-primal products as intended for intact cuts, should FSIS continue not to sample, or should FSIS test these products?

The committee pretty much knew -- no, not pretty much. We unanimously agreed that, yes, FSIS should continue not to sample these products. There was long discussion about the concerns over sampling.

There were concerns over whether the sampling would even be effective if the, a very, very large amount of products that would, that would be subject to sampling.

It just didn't seem like the most effective way to really get to the problem, which is outbreak, which are outbreaks related to products that are ground at retail from primal and sub-primal that

were not intended for non-intact use.

So the committee started deliberating on what things could be done to fix the root cause of the issue. And there were, there were some recommendations that we came up with on the current system.

So currently, as Robert Witte talked about yesterday morning, there are some things being done to try and provide information from the processor, established the packer or processor establishment down to the retailer about the intended use of the product.

So there are some ways we believe that current system could be strengthened. One of those would be to for FSIS to create a centralized resource most likely in the form of a webpage somewhere on the FSIS website with more information on the specific subject of intended use for boxed primal and sub-primal products.

And not just, you know, what their typical intended use is, but outline why that is their intended use and the risks with utilizing those products for non-intact products.

So once there is a webpage established, the Agency could update their current guidance for

industry recommending that current intend use statements be updated to provide more information.

And they could, one of the ways that could be done would be just to link to the FSIS website. But also, you know, current company webpages that talk about intended use could go into a little bit more detail of why that, the intend use is what it is and what the risks are with using it not as it is intended.

And then also including that intended use information in company letters of guarantee and distributing that information to their customers on an annual or more frequent basis to ensure that, that information is getting to at least the next person in the supply chain.

And then, you know, best practice would also be to recommend that, that person continue the information chain throughout the supply chain. As we know these products typically go through multiple stops in the supply chain before they reach the retailer.

So along with some efforts to strengthen the current system, the committee came up with a second recommendation to -- it was based off of the learnings and the successes of both the LM (ph.)

project that was discussed yesterday morning, and the implementation of grinding log at retail establishment.

And so our second recommendation, draft recommendation would be to conduct a similar outreach and education effort to the LM project, kind of using that as a baseline outline for the project.

And I know yesterday morning during the presentation there were learnings from that, so we could utilize those to improve this next education effort.

And specifically considering that retail establishments are very different in size and availability of resources. So your very large multinational chains have very different resources available to them than your mom and pop shop down the street.

So taking into consideration any outreach and education that's provided, needs to be able to be acceptable to all of the different types of retailers.

And also not forgetting about those processors that also fall under retail exemption. So part of the, the first part of this

recommendation, we identified that we didn't have a good enough representation of retailers on our subcommittee.

So we think it would be prudent for the Agency to conduct information gathering, including those folks possibly in the form of a roundtable to determine what information and resources is appropriate and helpful to retailers, along with some possible, some other viable pathways to distribute that information.

We thought of some resources. Different industry associations and groups have information available on set controls. FSIS has guidance on how to control for STEC on non-intact products.

And also there are extension services available. This is definitely not an exhaustive list, but it was a starting point of ideas. And then similar to the LM project, we recommend that a survey be done along with this project at the beginning of the project and throughout the project.

So that we can gauge where retailers are at as far as controlling for STEC, and gauge whether the effort is effective. I think one of the, one of the biggest pros in my personal opinion, and we discussed this on the committee, on the LM project

was the fact that there was a survey done.

So that we could really understand how many retailers and delicatessens were following the LM recommendation. And you could see that throughout the effort, that increased, and there, the vast majority of them are following controls.

So there was a lot of success there and we think with a similar project would make sense here too. Some of the things we think should be considered to be included on that survey is number 1, just determining whether or not that specific retailer is grinding primals and sub-primals, especially those that are intended for non-intact use.

And then, you know, the survey may or may not continue after that question's answered. Some of the ways that we know primals and non-primals are being used, technically we talked mainly about grinding because that's the main way that we're, that we're understanding is being used.

Although it should be inclusive of other non-intact use, but some of the ways we know sub-primals and primals are being used are as whole muscle grinding upon request. So a customer comes up to the meat counter and says, could you please

grind this sirloin for me.

Also as retail establishments are trimming primals and sub-primals and cutting into steaks, their trim, what we typically refer to as bench trim produced, not as being ground in some retail establishments.

As well as grinding full muscle that they full intend upon receiving those full muscle products for it to be ground, we know some retailers are purchasing primals and sub-primals with the knowledge of the supplier knowing that, that product is intended to be ground.

But we believe there's probably retailers out there that are just buying primals and sub-primals and not communicating to the supplier that they intend to grind those products.

And then we also think it might be good to just get an understanding of whether or not retailers know about intended use and what the risk is when utilizing products that were intended for intact use for a non-intact product.

Again kind of as a baseline to understand whether they're aware of the risks. And if they are aware of the risks, determine whether they have controls in place, maybe utilizing a checklist of

potential controls they might have to help aid the success of the survey.

And then determining whether retailers have HACCP plans. It was discussed, you know, whether there would be an opportunity to require retailers to have HACCP plans. There was a lot of discussion around that and the viability of that.

You know, the Agency did move forward with requiring grinding logs. So there was discussion on maybe there was a potential for that. But at the time it was decided that initially we should just determine whether or not they're already doing it voluntarily and maybe that would guide further agency activities.

We know that some retailers are utilizing HACCP plans, but we don't know the scope. And then along with this information effort, we talked a lot about intended use labeling.

And the Agency has had a long-standing policy that utilizing labels to communicate intended use on intact products that are not intended for non-intact use it is not allowed currently.

Most of the explanation has been we don't, the Agency does not want labeling to be used as a control method by the establishment. So our

recommendation would be to rethink that current policy.

And consider using an intended use statement in coordination with the bigger education efforts because at the end of the day that would be a reminder to the individual that's actually at the meat counter utilizing the product that they need to consider the use of that product.

And it might be a trigger to kind of remind them of all the other education efforts going on. And then I'm going to, I'm going to jump down to 2.5, just because it coincides with the point that I just brought up.

We wanted to make clear that we agree with the Agency's concern, you know, a label should not be the sole means of control of an establishment. So part of the communication effort would be back to federally inspected establishment to make them aware of any labeling that would be available to them.

But with the understanding that, you know, this communication effort to, an education effort to retailers and the potential for a label on intended use does not take away their responsibility to control STEC.

And then 2.4, we also discussed that any of

the educational materials and resources that we put together or the Agency puts together and could be provided to state and local health partners as another means of distributing and ensuring this information gets out to retail establishments.

Under 2.1, we talked about an information gathering, possibly in the form a roundtable. We put together a list of potential invitees that we would recommend.

But you can see here we wanted to make sure that there were retail folks as well as industry folks invited, or that's what we believe would be the most effective.

So there's a couple of different associations and institutes that specifically represent retailers. There's some that are a mix, such as the meat institute on our end.

And then some of the, again we talked about processors that also fall under retail exemptions. So some of the other groups that represent more of those establishments.

And then it was also recommended that we include association of food and drug officials, so again kind of a -- of local and state partners.

And then our last recommendation was to

suggest that the Agency discuss the option with the Food and Drug Administration to incorporate some of these ideas and controls for STEC into the food code.

This is, we know that FSIS coordinates with the FDA on an ongoing basis on recommendations for the food code and believe that this is at least something that should be discussed, not necessarily recommending that it, that it for sure be included in the food code, but that maybe it's a discussion to be had.

And with that, those are our, those are our draft recommendations. I welcome any questions or comments and also any color additions from the rest of my subcommittee.

MR. GREMILLION: Hi, This is Thomas Gremillion for Consumer Federation of America. I have a question --

MS. GREEN: Hi, Thomas. I hate to interrupt but for the questions and comment period, we're going to move toward the full committee deliberations at that point.

So right now -- I'm sorry, this is Val Green. Right now what I'd like to do is take a 15-minute break, and then I'll ensure that all the

members have a copy of the reports for both committees. And then we'll move straight into the deliberations.

And we'll bring back the subcommittee chairs to lead the deliberations for a vote. And at that time you may have an expanded discussion and continue on with the questioning.

MR. GREMILLION: Sounds good. Okay. Thanks.

MS. GREEN: Okay? So, Michele, we're going to take a -- actually let's just come back at 10:45.

AT&T EVENT PRODUCER It sounds good.

(Simultaneous speaking.)

MS. GREEN: -- meet we'll come back at 10:45. Thank you.

(Off the record at 10:28 a.m.)

(On the record at 10:45 a.m.)

MS. GREEN: Welcome back everyone. It's 10:45. We'll go ahead and get started. I'd like to make sure that all the committee members received a copy of the Committee Report 1 and 2.

I heard from most of you so please let me know if you did not receive the copy of the E, or the copy of the report via E. All right. Hearing none, we will start with Subcommittee 1.

Dr. Curtis, would you like to take the lead?

DR. CURTIS: Okay. So I guess I'm opening up questions, for questions or comments for the whole committee?

MS. GREEN: Yes.

DR. CURTIS: Okay. I think we see on the screen the first recommendation about the actions that FSIS should take so that it determines an establishment lacks scientific support for lethality treatment of fermented, salt-cured and dried products.

You've heard our argument or our discussions about why we chose what we did concerned about the small processor who may not have access and whose products don't exactly fit the, many of the traditional roles due to their artisanal type approach to products and processes.

So I open it up to the committee for other suggestions or comments.

MS. GALLIMORE: This is Casey Gallimore of the Meat Institute, just a point of clarification on the second, number 2 there. I assume that you're referring to a five-log reduction in salmonella. Correct?

DR. CURTIS: Correct. Good point. Other thoughts or other comments?

MR. GREMILLION: Hi. This is Thomas Gremillion. I've got a question. Are we, are these questions about either subcommittee?

MS. GREEN: Subcommittee one, and then after the deliberations and questions, then you'll move to a vote.

MR. GREMILLION: All right. I'm sorry. Okay. I'll wait then.

DR. KNIPE: This is Lynn Knipe. Am I allowed to, since I was on Subcommittee 1 to bring up another point, I believe just part of the discussion?

DR. CURTIS: Of course.

DR. KNIPE: In the second part there, I think we should probably discuss right before we broke. I brought up the point that I thought we were discussing yesterday about establishing validated guidelines, the process to be used -- all processes.

Now that all got changed right at the very last minute. And what it, what it ends up saying, well we're talking about that in our working group, it says something about critical parameters that

would need to be met for product and process to be included in the guidance document.

Now --

DR. CURTIS: Okay. Clearly noted.

DR. KNIPE: -- just to --

DR. CURTIS: Just a moment, please. Let's move the screen down to the second part that shows the bullets that he's talking about. Okay. You'll see the working group is the one, two, third bullet down.

I'm sorry. Go ahead. I just want people to be able to see what you were talking about.

DR. KNIPE: Well I see guidelines that have been quite different then the guidance documents. And that, her comment about establishing validated guidelines was removed.

And I just wanted to see if maybe I misunderstood what the group was thinking yesterday. But I just wanted to bring that up one more time because as it is right now, we're talking about just putting, just identifying some critical parameters.

Where I was thinking of doing something like, what's been called Appendix F, with the managed products, that'll be like our Appendix A and B and whatnot.

Where we might have research that's validated these guidelines that companies could use like they're using Appendix A and Appendix B right now.

And similar to what they have done at Wisconsin with the jerky. So that's my only concern that we did, we had that in there for about 30 seconds, then it got deleted.

And I wanted to try to bring it back one more time and -- no comments?

DR. CURTIS: Comments from other members of the committee or the whole, the whole --

MR. GUNTHORP: This is Greg Gunthorp, Gunthorp Farms. I love the idea. I think safe harbors are a great thing and I love the Appendix F idea.

U/F: I think where we were going with the critical parameters and I guess if we can come up with the wording to change that. Does anybody object to that, if we, if we add that into the recommendation?

MS. GALLIMORE: This is Casey Gallimore with the Meat Institute. I guess I just don't understand what the -- I guess, I mean the guidance document are guideline safe harbors.

I mean Appendix A and B are guidance documents from the agencies that are used as safe harbors. So I guess the way I read this, if that's what you're asking already is for critical parameters to be included into Appendix A and B.

MS. RICE: So this is Kim Rice.

MS. GALLIMORE: Is that right?

MS. RICE: Yes. So Casey, what we were trying to do -- this is Kim Rice, in case you didn't hear. I think what the conversation originated with is there are, because these products don't necessarily have peer reviewed, journal articles that validate specific formulations, specific diameters, specific, you know, whatever.

There's a process that some how differentiates or is different than what has already been researched and reviewed and is out there for everyone to use.

So the thought process was, bring together a group of scientists and professionals who can say, here are the parameters that are critical to the safety of the product, whether it's pH or water activity or whatever.

And here are the things that affect those. And in essence, use the data, use the data that's

available or the science that's available and create a document or a matrix, if you will, that says if a product meets these things, then it falls into, for lack of a better term, a safe harbor.

Versus having to go out and do a, anywhere from $30,000 to $50,000 validation study on every single product and every single gyration of that particular product or products.

Did I misstate that, my fellow committee members? At least that's the way I took what we were trying to do. And then it could, or it could potentially be incorporated into the guidance that's in draft form that we haven't seen.

Or it could be a best practices document, something.

DR. KNIPE: I agree with you, Kim.

U/F: I think that's what we were trying to do.

MS. GALLIMORE: This is Casey Gallimore again. Yeah, thanks for that explanation, Kim. That makes sense. I mean to me, from an outsider who wasn't on you all's subcommittee, to me that's exactly what you have written here and what you're, what you're going to plan on doing.

And I think, you know, it just depends on

where that ends up getting put, like Kim said, whether it's in the current guidance document that exists or whether it's another one. But it sounds like a great idea.

DR. KNIPE: Right. If I would add that what I see really here right now is, it just, right, we might have a list of, like the parameters in a guidance document and that might not be much help to companies who can't afford to do their own challenge studies and whatnot.

So that's, that's where I was trying to differentiate a little bit in trying to move forward with establishing some safe harbors.

U/F: Would it be clearer if we put that which critical parameters would need to be met before a potential safe harbors for product?

DR. KNIPE: That would be better.

U/F: That would, if you think that would make it clearer.

DR. CURTIS: Other questions or comments?

U/F: So your thing now is the other recommendations that we had. Like we've got a very, started to get some pre-guidance publication information out for the peer reviewed journal articles.

So in some way trying to get that information out so it could be used without waiting on the guidance to be published. And then towards the bottom, you see, provided publication with all the information that they included.

But also some specific things that we wanted to see in there following this working group's a portion of their activities, because we thought that all of that would be a source to include into the guidance publication information.

DR. CURTIS: Quiet group this morning. Hearing no other, is there any other discussion at all of either of the two recommendations or answers to the questions?

MS. GALLIMORE: This is Casey Gallimore of the Meat Institute. I just offer that I think the silence is a good sign. I think these are, these are good recommendations.

So I don't really have anything, you know, they all seem like they make sense and there are good options moving forward for these folks. I guess the only thing I really, I really like the second bullet that we're seeing here on updating the list of contacts for folks then that need assistance.

Is there any way to maybe incorporate EIO outreach efforts from the Agency somewhere in here, whether or not, you know, making sure those EIOs have some of these resources, maybe that pre-publication list is distributed to those folks?

I know that has been a --

U/F: The people recommendation --

(Simultaneous speaking.)

MS. GALLIMORE: -- that has been --

U/F: Do you have a recommendation for that?

MS. GALLIMORE: I guess I would just add maybe it's like a second point under the first bullet that, that's also distributed out to EIOs for use in outreach efforts.

DR. CURTIS: I thank you for that suggestion. Other suggestions?

MS. GREEN: This is Val Green again. If there are no questions or suggestions or additional recommendations, you may move forward to a committee vote.

U/F: Hello.

DR. CURTIS: Yeah. Val, how do we move forward with a vote? Do we just do a voice vote?

MS. GREEN: Yes. You lead the vote.

DR. CURTIS: Okay.

MS. GREEN: And the committee takes up the recommendations.

DR. CURTIS: All those in favor of accepting the recommendations?

MS. SORSCHER: Before we vote, this is Sarah from CSPI. Is it -- who is voting? Is it the, is it all members or is it just members of the subcommittee who considered the recommendation?

MS. GREEN: All members.

U/F: So should somebody read out the list to check off the votes?

MS. GREEN: Yes. Someone can move to nominate to approve the recommendations. And if you're, when you're voting, please state your name and whether or not you approve.

DR. CURTIS: Okay. Do I hear a nomination to move to the vote to accept the recommendations?

MS. RICE: This is Kim Rice. I move we vote to approve the recommendations.

MS. GALLIMORE: I second the move. This is Casey Gallimore.

DR. CURTIS: Okay. Valerie, do you have the list for the vote, or do I just go down the list on the participant's panel?

MS. GREEN: Yes. Or would you like me to go down the list?

DR. CURTIS: Sure.

MS. GREEN: Okay. Jennifer Eberly.

DR. EBERLY: I approve.

MS. GREEN: Tina Rendon?

MS. RENDON: I approve.

MS. GREEN: Patricia Curtis.

DR. CURTIS: I approve.

MS. GREEN: William Battle?

(No response.)

MS. GREEN: Kimberly Rice?

MS. RICE: I approve.

MS. GREEN: Lynn Knipe?

DR. KNIPE: I approve.

MS. GREEN: Amilton De Mello?

DR. DE MELLO: I approve.

MS. GREEN: Thomas Gremillion? Thomas Gremillion?

MR. GREMILLION: Sorry. I approve.

MS. GREEN: Greg Gunthorp?

MR. GUNTHORP: I approve.

MS. GREEN: Jimmy Avery? Jimmy Avery?

(No response.)

MS. GREEN: Tina Conklin?

MS. CONKLIN: I approve.
MS. GREEN: Casey Gallimore?
MS. GALLIMORE: I approve.
MS. GREEN: Sherri Williams?
MS. S. WILLIAMS: I approve.
MS. GREEN: James Jenkins? James Jenkins?
(No response.)
MS. GREEN: Joseph Harris?
(No response.)
MS. GREEN: Byron Williams?
MR. B. WILLIAMS: I approve.
MS. GREEN: Sarah Sorscher?
MS. SORSCHER: I approve.
MS. GREEN: Denise Perry?
MS. PERRY: I approve.
MS. GREEN: Misha Robyn?
(No response.)
MS. GREEN: That concludes the vote. The majority approved.
DR. CURTIS: Thank you Valerie.
MS. GREEN: All right. Next, we'll move on to Subcommittee 2. So I'll go ahead and turn it over to Ms. Casey Gallimore, and would you like control of the screen again, Ms. Gallimore?
MS. GALLIMORE: Yeah. I think that'd be

best so people can see the recommendations.

MS. GREEN: Okay.

MS. GALLIMORE: Okay. I'll welcome questions and comments on, first we'll start off with Recommendation 1 on our draft recommendations to strengthen the current system.

MR. GREMILLION: All right. So this is Thomas Gremillion, Consumer Federation of America. I had a question about the testing recommendation, the recommendations of continue not testing the boxed beef.

And my question is for some of these boxed beef products for the primal, they are intended for non-intact use. Is FSIS testing those products? And is that an effective testing program? And so is that stopped?

MS. GALLIMORE: Robert Witte, are you on? I think you might be able to be the best, you might be the best person to answer that question.

MR. WITTE: Yeah. Can you hear me?

MS. GALLIMORE: Yes, we can hear you.

MR. WITTE: All right. Yeah. Thanks for that question. Yeah. So we do have testing programs at a variety of different, I guess, targeted different products or, you know, different

things being intended for non-intact use.

Whether that be beef manufactured trimmings, whether that be other raw ground beef components. You know, just different beef materials that are intended for non-intact use.

So yeah, we do, we do sample those at federal establishments. And we do think that is pretty effective.

MS. EDELSTEIN: But Robert, this is Rachel, I mean I think the specific question is, if you're not trimming, but primal, whole cuts, if those are not in, and I mean we sample those a little differently than we would sample trimmings.

But they would still be subject to FSIS sampling, right? Can you explain that?

MR. WITTE: Yeah. Correct. Our guidance is that it's meat of any size. So just the physical dimensions of it, doesn't change the eligibility for sampling.

We just, we just employ different sampling techniques based on what it is. And so trimmings are samples in one way in terms of lotting and how we collect those in different lot sizes and things like that.

But if a primal is intended for non-intact

use, yes, it would be eligible for sampling. Does that answer your question, Thomas?

MR. GREMILLION: Well yeah, I got you. I guess I'm just trying to get a sense of, I mean it seems like, if a primal was designated for non-intact use, the establishment would just wait until it was ground up and then take the samples from.

But maybe I'm misunderstanding kind of the nature of the sampling. But it seems like you'd have to a lot more samples in a lot more of these big types of meat to get a, you know, statistically valid result.

And I'm just trying to get a sense of like, you know, we've got two identical products. One of them is designated for intact, so it's non-intact use, and the other one so is not.

And I'm, how much of these products under consideration are really being sampled? And how frequently are they, are they being actually tested? I guess it would be a swab sample on these, on these primal --

MR. WITTE: So I mean we would, we would use the same N60 method that we use for trim that we would, that we would use on primals. And so that's in terms of the method we would use.

The heart of the charges here is, is an establishment identifies these certain products to be intended for intact use. And so those are not products eligible for FSIS sampling.

And the concern here was they go out into commerce and be used for non-intact purposes. And so that's kind of where this charge came from is how do we, how do we look at that system, and what actions do we take.

But we do have sampling methods if a determination came back of make them eligible for sampling or samples them, we do have existing sampling methods for primals because there's already establishments that use primals for non-intact use.

So it's more of an understanding of how these things are identified at one establishment and then, you know, looking forward what ultimately do they get used for. Does that make it muddier for you?

MS. GALLIMORE: Now Thomas, this is Casey --

MR. GREMILLION: Sure.

MS. GALLIMORE: Thomas, this is Casey Gallimore. I'm, I'm going to try and provide a little more explanation that may be helpful. So the

root problem with this, with this charge, at least as the subcommittee understands it, is really when it comes down to the retail establishment.

So if a slaughter establishment is making boxed primal that are intended for intact use and those go to a processing establishment that's also federally inspected and they use them incorrectly and they use them for non-intact products, FSIS is there inspecting that establishment on a daily basis.

And will be able to verify that they're accounting for STEC in the HACCP plans because they have to have a HACCP plan. So those really aren't our problem children.

And those establishments, those FSIS inspected establishments that may be utilizing primal for non-intact product, prudent establishments are going to communicate that back to their supplier so their supplier can know that's what they're being used for and plan accordingly.

But even if they're not communicating appropriately to their suppliers that, that's what they're doing, they're responsible for having that HACCP plan and FSIS has sampling programs for their non-intact products that they're producing.

So take that down another level to the retailer. FSIS has a sampling program for ground products. That's primarily the issue we're having is with retailers using these products that are supposed to be used intact for grinding at retail establishments.

FSIS has a sampling program for testing those grinds, but it's just, there's, I don't remember what the number was from their presentation yesterday.

But there is just so many retailers. They're not in those establishments every day. They're not required to have HACCP plans. FSIS just doesn't have as much control as, would be, as they do for their processing establishments.

So does that help kind of --

MR. GREMILLION: Yes. So that, yeah, that helps the, yeah. It helps me understand the problem a little better. I guess coming back to the testing, that would seem in multi favor of testing the intact cut that might be ground.

But my understanding there is like this would be some huge expansion of FSIS testing, if that was, I mean would that be opposition to starting the testing of that cuts that might be

ground up by a retailer?

MS. GALLIMORE: That's certainly part of the opposition, Thomas. But there, it was, there was multiple things discussed by the subcommittee on why sampling just doesn't seem like the best option.

The sheer multitude of primals and, you know, not, we're not, we don't even understand what percentage of those primals really are getting used as for non-intact products later, throughout the supply chain.

And we don't know the best was to target which ones might be or might not be. So there's just a lot of ambiguity around that. And you're completely right.

It would be, you know, if you're trying to account for all that could maybe at some point be used for non-intact use, it would have to be a huge sampling project.

And we talked about how sampling doesn't get rid of STEC. Controls do. So focusing on making sure controls are in place and that retailers understand that controls need to be in place seemed more effective.

Also what we, what the Agency found through carcass sampling, we predict might be a similar

problem with primal and sub-primal products. You just don't find STEC when you do carcass sampling.

And you're, we believe it's, you're similarly unlikely to find STEC on primal and sub-primal products. So it just doesn't seem to be the best use of agency resources.

MR. GREMILLION: That, yeah, that I understand that. Can I -- one other question, and this was brought up yesterday, I think. For the primals that are designated for non-intact use versus the ones that are pulled as is.

Or, you know, without that designation, are the establishments adopting some additional mitigation to, you know, they, are they applying more antimicrobials or doing something to kind of lower the contamination risk.

Or is this, all of this stuff kind, if that gets decided better on what the well treated equal area?

MS. GALLIMORE: I think that depends on the establishment. We talked about that in the subcommittee and we had some packers and processors that, you know, kind of talked about their individual programs. But there is a process establishment.

MR. GREMILLION: So some establishments do take some extra steps with something that's designated for non-intact use?

MS. GALLIMORE: I would couch it more as some establishments who know that they're suppling products that are going to be used for non-intact use may take different approach on those products.

But some establishments just take that quote/unquote, "different approach" on all of their products even if they're intended for intact use as a precautionary measure, if that makes sense.

MR. GREMILLION: Okay. Okay.

MS. GALLIMORE: But again, like the main problem with the charge is really not the products that are intended for non-intact use. Those have not been identified as a high-risk issue.

MR. GREMILLION: That's fair. Okay. All right. Thanks. This is helpful.

DR. EBERLY: Hi. This is Dr. Eberly in Maine. I had a question for the committee. How does committee to reconcile the idea that FSIS, as stated publicly in Robert's presentation, has determined that a product intended for intact use but not maybe physically labeled as such, except on the website, is in fact being used in commerce

without any extra establishment or FSIS testing?

The knowledge, I guess, you know, it's clear to FSIS because they stated it publicly that this product is being used. The product that is designated as intact is being used for non-intact purposes.

Does not FSIS have some responsibility, and perhaps the large establishments also have some responsibility, to address this hazard?

MS. GALLIMORE: Yeah. Thank you for that question and I welcome input from other folks on the subcommittee as well. We talked about this a lot. And part of the complication on this charge is really the supply chain.

So it being the producing establishment of the boxed primal and sub-primal product, typically is able to have really good communication with their direct customer.

But when you get all the way down to a smaller, or even not necessarily a smaller but definitely smaller retail establishment, you could have stopped through three to four different quote/unquote owners of the product by the time you get down there.

So unfortunately the supply chain is just

not as direct as folks might thing. So that's a huge problem.

U/F: Well, if I could just interrupt for a second. I feel like the point you just made actually illustrates what I was trying to say is if the retailer is three or four steps down the supply chain, then should it have been addressed back at the original establishment in the form of a testing program on their part, or a testing program on FSIS' part since they know who knows where this box is going to end up ultimately?

MS. GALLIMORE: Well and then that goes also back to the other point that we talked about, that testing does not get rid of STEC. And, you know, the sheer volume of products that are getting put out, we don't know how much of, you know, what percentage of boxed primal and sub-primal products are being used for non-intact products when that's not their intended use.

So we just, we don't have enough information to know that, that would even been effective. And it would be a very large ask for establishments without understanding that it would even be effective.

U/F: I guess the concern I have with your

recommendation, or the recommendations about further education of retailers is retailers represent a very, very large group of people, very diverse, some of which may or may not be looking at the website.

As opposed to education at the industry level, which will be a much smaller group and a much better-informed group of the risks.

MS. PERRY: This is Denise Perry. I'm going to jump in for a second. I think it's important to redirect what problem we're addressing here. We're not addressing, is there STEC on the primals or not. What we're addressing is that primals labeled as intended for intact, are not being utilized as intended. And how do we fix that? And testing doesn't fix that.

We're already addressing the risk of STEC in the processing facilities. So let's focus on the problem and not keep going back to the STEC, which we all know is a risk.

No matter how much we treat, how much we test, the reality is there will always be a risk, unfortunately. We all wish we could live in a sterile environment.

So we have to focus on the problem that's being charged with, which is how do we improve

primals being used as intended and communicated by the processor, which is enhanced communication and that's how we, and that's why we went that route.

And we also talked about people's responsibilities. So in the presentation yesterday, it was noted while butchers, you know, they might not know at the retail level.

Well I don't get that excuse at my federal inspected plant level. I don't get to make excuses of, I didn't know. I can't claim ignorance. And so retailers have to start understanding their responsibility in the supply chain and to keep consumers safe just as consumers need to.

MS. S. WILLIAMS: This is Sherri Williams. And I second everything that Casey and Denise have said. And in part to try to help answer the question, I guess I give the example, like I did yesterday in the committee with regard to when a company has a recall, FSIS performs recall effectiveness checks.

And those are where FSIS contacts all of your first level customers and supply, and asks them, one, did the company recalling the product get in touch with you and tell you what was going on, and tell you what to do with the product?

And then that answer is either a yes or a no. So I will tell you from personal experience that we did do our due diligence for every single customer.

But I will tell you when the recall effectiveness checks came out, there were a couple layers after our primary customers, and even including a couple of our primary customers that were notified, that were told what do with it, and chose not to.

So in that essence, we believe, I mean I truly believe, I mean I truly believe that we don't know if the retailers know the difference and chose to ignore it, or they just aren't educated on it and that needs to happen.

So I think with that unknown, that's kind of how we processed our recommendations in going through that, in addition to testing more doesn't always solve the problem.

MS. GALLIMORE: Thank you Denise and Sherri. Does that help answer your question? Do you have any more questions or comments on --

U/F: I have a follow up question.

MS. GALLIMORE: Okay. Thank you. So any other comments or questions on Recommendation 1

before we move on to Recommendation 2?

Okay. So the second and probably the main crux of our recommendations overall would be this outreach and education effort, again, you know, utilizing the learnings and successes from the LM project.

So I welcome any questions on this very large, interpreted recommendation or any comments or suggestions on how to improve it. Hearing none, I will move down.

This is just our potential list to provide to, excuse me, FSIS on who you, we suggest inviting to some kind of information gathering, a roundtable. Are there any additional groups you would add to this list?

MS. RICE: Casey, this is Kim Rice. Are there any independent retailer associations that represent the little guys?

MS. GALLIMORE: Yeah. That's a really good question. I was talking to some retailers yesterday about that because I just don't know those groups very well myself. My understanding is that a lot of those smaller associations and groups kind of coordinate through SMI.

MS. RICE: Okay.

MS. GALLIMORE: But we can certainly, you know, like try and find more, you know, what actually comes down to putting the roundtable together.

MS. RICE: And then the other one is, should you invite the distributor group? The -- well I always get the initials wrong --

MS. GALLIMORE: Well that's a good idea.

MS. RICE: It's IDFA -- no, IDAF. Shoot. I don't remember. Let me look it up.

MS. GALLIMORE: We'll look it up and make sure.

MS. RICE: Okay. So they're in Tyson's Corner.

MS. GALLIMORE: Thank you for that, Kim. Any other recommendations on social invites?

MS. SORSCHER: This is Sarah Sorscher of CSPI. More directly on this portion of the recommendation around outreach to retailers. You know, throughout this process it hasn't really sat well with me, this idea of, you know, asking the, especially smaller retailers to implement HACCP controls on par with what's done in the plant.

Because I think there's issues around economies of scale and trying to, you know, I think

some of the interventions require investment in new equipment that might not be feasible to put out in all those many, many grocery stores.

And so and the fact that we don't have recent retailer voices on the committee to really understand this process and can speak to it in detail has been troubling.

And I'm just wondering, do we have, do we have any sense whether this is going to work? Whether there actually are controls that retailers can use to help address this problem?

Or are we asking them to do the impossible with this education effort?

MS. GALLIMORE: That's a really good point. Sarah, I don't think you were able to join on the subcommittee call this morning. Correct?

MS. SORSCHER: I was, I kind of came in late because I had some technical issues.

MS. GALLIMORE: Okay.

MS. SORSCHER: So yeah.

MS. GALLIMORE: Okay. So we talked a little bit about that this morning. I was able to talk to two of our retailer members last night and just kind of get their thoughts on the general charge on these specific recommendations or anything

like that.

And how they're handling this situation in general and the issue at large. And there are some creative things already being done by some retailers.

And I think one of the misconceptions is that the only option that you have is to apply an intervention. That is an option. And it's one that has worked well.

But there are other options such as, you know, specifically buying products that are intended for non-intact use. Or if you create trim, don't use it for raw use.

Use it for cooked products that you're, that you might offer at that retail establishment. So there, I think what we would hopefully see done is that, you know, the list of possible controls would not just be a list of interventions.

That would be one of many different options out there that would be more achievable for smaller retailers like you're, like you're referring to.

MS. SORSCHER: And are we confident that, are we confident that there are no controls that could be implemented at the plant to help ensure that the boxed beef going out has lower

contamination levels, you know, knowing that it may be intended for non-intact use?

You know, the type of things that you might do if you were grinding in the plant to, you know, offer preliminary controls on those products before you start the process of breaking them down?

MS. GALLIMORE: So some of the, some of the controls that you're speaking of, or you're applying, you know, directly related to the grinding process. So for some of those, no. Because, you know, it's further done, you know, with the grinding process.

MS. SORSCHER: During the grinding. Yes.

MS. GALLIMORE: Yeah. So some of those, no. I mean, yes, there are some controls that can be done on boxed primals. But again, we're asking for a solution, I believe at the wrong step.

Especially because one of, one of the potentials from a retailer could be to communicate to their supplier that, that's what they're intending to use the product for.

And then that's between them and the supplier, they can work out, you know, what products are appropriate.

MS. SORSCHER: Yeah. I guess part of my

concern is that we know that there's just such a huge percentage of the, you know, grinding rate that's happening at the retailer right now that's done using these products.

And I'm just wondering how to shift that practice, you know. Whether it's feasible to shift that practice effectively or whether the response should be that establishments assume that some of the product could go to grinding in the event they treat it accordingly before it leaves the establishment.

And testing would promote that type of control, right, if they would, if FSIS were testing in the establishment, it would promote those controls versus retailer education, which really just focuses on pressures the retailer can apply.

MS. GALLIMORE: Yeah. Well and again, testing does not guarantee that there's not STEC there, and it does not, it does not get rid of it as it is.

MS. PERRY: And just so -- this is Denise.

MS. GALLIMORE: Hi.

MS. PERRY: Testing is not a, testing is not considered a control. It's a verification of controls being effective. Just for some

clarification.

MS. SORSCHER: But no, I'm sorry, I said testing would promote those types of controls, like knowing that it would be testing would encourage establishments to apply those controls to the boxed beef. So that's what I meant. Not the testing with the control.

MS. SORSCHER: And I was on the subcommittee and we discussed this. And I, you know, I don't, I don't know that -- I'm not confident that we have enough data to recommend that FSIS, you know, extend testing to all boxed beef products.

Which is why, you know, the recommendations I think from the subcommittee came out the way they did. But I think I'm, I'm -- it still doesn't sit entirely well with me that we're, we're going that approach.

MS. GALLIMORE: Well one thing that I think has been interesting after the grinding log requirement came out, there has been a shift in retailers and what they're doing. They have changed practices in response to the grinding log rule. You know, we've got retailers that are, you know, not mixing together as many lots which is a general good

rule of thumb to control, to help control for STEC.

They are, you know, some of them just aren't grinding as much as they used to and are going away from those practices. Some of them have already, you know, their burden, their trimmings, their bench trimmings to other avenues.

So I think, I think the controls will come secondary to the education. If the education gets out there, then the appropriate controls can follow. Whether that is a control at the retailer or a request from the retailer to have controls grow further at the supply chain.

And I can tell you in most supply chains, but I find it very, very accurate in the meat and poultry supply chain, the packers and processors will do what their retailers ask them to do.

So if that message, you know, gets pushed, you know, hey, this is what I want to do with my product at the retail establishment, the packers and processors will be driven by the market to provide what's being asked for.

But the, at some point in time, you know, the establishment cannot still be the person that's responsible for what happens to the product all the way down the chain, when it's been communicated

that, that's not the intent.

At some point the torch must be passed is kind of what we've talked about through the subcommittee.

MS. SORSCHER: And well, I mean we also had a lot of conversation about how sometimes it is really, truly impossible to know what will happen to that product.

So I guess my question is, is there some way that we can encourage establishments to just assume that some of this, and just the way we're kind of encouraging retailers to assume that all the boxed meat is contaminated, is there a way to encourage establishments to assume that all boxed beef potentially could be ground at some point?

And to apply controls to it as if the customer had asked for it. Right? Because we know that not all customers are going to specifically contract for that. Not all the end recipients are going to have a relationship with the this, so they can't.

MS. S. WILLIAMS: So this is Sherri Williams. And I guess I want to go back to what was said a little earlier, that not all, not all packers treat things the same.

But I mean I honestly don't know that because I'm just with one. But I can't tell you that the same controls are applied regardless of that.

The thing that we would do different is if somebody comes to us and says, hey, we want to grind meat. Hey, we want to tenderize this. We're like, okay, well then, we're going to have to create a tested code for you. And we're going to have to test it before we send it to you.

So then in that essence, we are not designating it as non-intact use, and FSIS has the ability to do a test there at the facility they so choose if that comes up in their testing requirements. And that's how that would be handled.

Now so going to the --

MR. GREMILLION: Sorry, could I ask -- this is Thomas at Consumer Federal of America. I just want to make sure I understand what you're saying there.

MS. S. WILLIAMS: Yes.

MR. GREMILLION: Okay. So the only difference would be that you classify, you communicate to FSIS, this is going for non-intact use. And then FSIS may collect samples and test

them before it goes to your customer. Is that, is that right?

MS. S. WILLIAMS: I said, the option that we would be doing is that we would do a test ourselves, just like we test --

MR. GREMILLION: Okay.

MS. S. WILLIAMS: -- all of our trim compost that are going to the raw commutative grind use. Everything receives a test.

MR. GREMILLION: Okay.

MS. S. WILLIAMS: So if could agree, that is non-intact use for a raw commutative grind. So that is why we do that. So those are the kind of things that --

MR. GREMILLION: Okay. Thank you --

MS. S. WILLIAMS: -- out there.

MR. GREMILLION: So you would, there would, there would be another control intervention, but you wouldn't test it?

MS. S. WILLIAMS: We have a very strong intervention system at this point --

MR. GREMILLION: Yeah.

MS. S. WILLIAMS: -- we apply across the board. So --

MR. GREMILLION: Could I ask one other

follow up questions? How, what percentage of samples would you say test positive for as STEC from those products?

MS. S. WILLIAMS: I guess --

(Simultaneous speaking.)

MS. S. WILLIAMS: -- go to FSIS' results for that. So Robert, do have any of that information?

MR. WITTE: I mean if we look generally across all of our sampling projects, the positive rate is about a half a percent. But if you're, Thomas, you're asking specifically for primals.

You know, of a beef products in questions, we don't sample those. And so, you know, if they're intended for intact use. The second they're intended for non-intact use they fall under our normal sampling project that we already have existing.

It's just one more eligible product in that plant they're sampled. For primals, I'd have to go --

MR. GREMILLION: For that, yeah, I think, yeah. Yeah.

MR. WITTE: I'd have to go through the data and correlate which one is trim, which one is a

component, which one is, you know, each, you know, it all falls under the same project.

It depends on what that inspector puts for, you know, what product was sampled that day at that time. So I'd have to go through that. We don't differentiate that on any sort of data analysis perspective. For us, it's simply product intended for non-intact use.

Sorry, go ahead.

U/F: It seems like there's, it seems like there's really two questions here. And one is how do we make sure that FSIS is testing the appropriate product so that it can have an understanding of how contaminated the supply is for the non-intact use.

And then other is, how do we design a testing program that encourages the right people to take the right controls at the right stages. And, you know, on that latter point.

And I'm still a little bit fuzzy about whether the plants should be doing anything extra to boxed beef, primal and sub-primal that are going out, you know, if they know that they're intended for non-intact use, versus if they're intended for intact use.

And I've heard some kind of conflicting

statements from different people on that. And what's the, what's the final word? I mean, are we, are we applying any --

(Simultaneous speaking.)

U/F: Well I think, I think the better question is your, so kind of what's, what's being suggested is that establishments should treat all of their products like they're going to be used for non-intact purposes.

But that seems like an inappropriate ask where we don't even have an understanding of what percentage of the products that they're producing are being used for non-intact use.

And again, you're, you're putting, that's putting the responsibility back on the people who either are producing the product and taking it completely off of the people who are using the product inappropriately.

U/F: Can we make a recommendation that FSAS try to figure that out. I mean they know from asking retailers what percentage of ground products are either originally intended for non-intact use or they don't know what their intent was.

But they don't know, you know, on the other, the other question is for establishments

putting out boxed beef and primal, you know, what percent actually end up being ground.

And maybe it's impossible to discern that. But I think it's worth, if it can be known, then that would really help answer this question of, you know, what the establishments ought to be doing.

Because if it's, if it's a very small percent then -- go ahead.

MS. PERRY: This is Denise.

U/M: That, that --

MS. PERRY: I want to just piggyback onto Sherri's clarification because I think, I mean from listening, I'm not sure if it's been, we, you know, and I can't speak for all of industry, like, just like Sherri mentioned.

But we don't not treat portions of the carcass in our multiple hurdle effects within the facilities for intervention from slaughter through all the way to pass.

So all of these primals have been treated in some cases, depending on the establishment, multiple times via sanitary dressing protocols, hot water, hot water treatment, acid treatment.

So the, we're not like sorting out, oh, these are for intact use, so we're not going to

treat these. That's, I think we need to clarify that as processors.

We're treating the whole carcass as that. Now there's different stages of trimming and whatnot. So that isn't being ignored for these products.

To Sherri's point, the difference lies when we know that it's going for non-intact, we understand that it's about to change form into a more risky form of consumer properly preparing.

Therefore we're going to do additional verification that, that product is as safe as we have planned for it to be, via our, all of our controls.

In our HACCP plans, verification of those, validation of those, observations of those, not only from USDA looking at it in our facility, but also our own quality programs that Sherri alluded to.

So we are doing rigorous testing. None of us want to kill anybody. None of us want to send it out no matter if it's on primal or on ground. And so that all is, I can, you guys are all welcome to come to Lorentz Meats.

And look at our program and our process to show that we're not taking this flippantly and nor

are any of the processors I've ever talked to throughout the industry.

Are there bad, are there ones that might not be? Absolutely and that's where that retail grind program has been essential. We have retrained grind facilities now that understand the intact, non-intact very thoroughly.

And what they do is they have us send them a coarse ground product because they know we've tested it through our N60-plus rigorous program. We test for all STECs in ours.

That's not what all industry standard does. We control for all STEC. We test for all STECs in ours and then we have some customers that want to test every 15 minutes of ground product for STEC.

So we are doing, that's why I get a little bit passionate and grumpy about, you know, take, everyone take, doing their part to take responsibility and not claim ignorance just so somebody else has to continue to add STEC for something where we all have to understand the risk.

And if we continue to just throw it back down to the processors, we're not going to be able to have that educate at the retail level. Like you said, like the retailers we have, they understand

it.

And therefore they work with us to control it at our facility instead of just taking the intact stuff and using it in a way that's going to increase the risk of infection or else having a STEC in there.

U/F: Well said, Denise.

U/M: Yes. Absolutely well said.

U/M: So --

U/M: And this, and part of the information gathering was intended to come out in the survey of those to determine what is actually being done.

U/F: So that's why I was going to maybe look at is should we expand our recommendation 221 so when we're asking retailers whether they are grinding primals and sub-primals intended for intact use, we could suggest trying to get, I think it will be very difficult and practically impossible.

But we could try and capture some volume or percentages, get some idea on the amount of products.

U/M: Sure.

MR. GREMILLION: Yeah, I would -- this is Thomas at CFA. I would be interested in, you know, how often, yeah, both the percentage of these

products that are, that are being diverted, you know, not stated as being intended for non-intact use but are being ground up in the end.

And also, you know, what percentage are testing positive. And maybe, you know, at FSIS or exploratory program, exploratory testing program could help to assess that.

It sounds, if I, if I hear, if I'm hearing correctly from the processors that have spoken, there's not an extra, you know, step to kill bacteria, but there is an extra testing step. You know, you're testing these products before they're sent off to be ground.

And I mean that is, that effectively, that validation step is one more way of lowering the risk because, you know, if you find it tests positive and then you divert that, that product.

So it doesn't seem as crazy to expand the testing, but I understand, you know, not everything can be addressed with more testing and there's finite resources, et cetera.

So yeah, I guess, that, did you consider in your subcommittee, you know, kind of an exploratory testing program? Is that anything that came up?

MS. GALLIMORE: We talked about just the

viability of testing in general. And just, you know, for those that aren't as close to the issue as those of us that work in industry, I can just, I can just give you this kind of thought to take into account.

I can test, you know, a carcass, and then I can take that entire carcass and I can break it into primal. And I can test the primal and then I can test, and I can take all those primals and I can turn them into trim and test the trim.

And I can take all that trim and I can, and I can turn it into grind, and I can test the grind. I am far more likely to find the STEC if it's there in the grind.

And then as I get closer and closer to the carcass, I am less likely to find the STEC. That is why if you look at FSIS's sampling programs, they are very heavy on the ground product and the products that are directly going into the grind because that is where you're most likely to find the STEC if it's there.

So the further, the further, the bigger the products get and the closer we get to a carcass, the less likely we are to find it and therefore, you know, we talk about it just doesn't seem like a

viable, like a, like a prudent use of agency resources.

And again I go back to the, you know, there are multiple testing programs that the Agency initiated on carcasses, and throughout the years they are, they have gone away from those because carcass testing just, you don't find it.

So, you know, the closer you get to the consumer, the more valuable that test result is and the more likely you are to find what you're looking for.

So I mean we, the Agency could do an exploratory sampling and I don't, I just, I personally and I think some of the other folks on the subcommittee expressed this.

We just don't think that's a good use of agency resources. And honestly what might be a better recommendation to start out with, to maybe even inform whether it makes sense to do an exploratory survey would be to break down that data that Robert was talking about.

Then try and, try and dig out of that sampling project what the percentages are on primals and sub-primals that we know are going for non-intact use and see what that looks like.

And determine whether or not it makes any sense for trying to do something else. But I just --

U/M: And that, I would agree. You know, I'd certainly spell that --

MS. GALLIMORE: We've got data it's already there.

MR. GREMILLION: Yeah. Sure. Yeah, so maybe that would be an easier lift that it could be include in the recommendation. So this is Thomas.

MS. GALLIMORE: So I welcome any thoughts on whether to include, you know, whether to include as part of our recommendations that FSIS look into the data that already exists through whatever that sampling project code is and heed --

MR. WITTE: Well that, and Casey, I want, I want to be clear. So we sample products intend for non-intact use. So if we just say, are we, are we saying primals as a, as a product item?

Or are we saying primals intended for non-intact use or primals intended for intact use? Because the reason I say that --

MS. GALLIMORE: So my --

MR. WITTE: -- is we don't sample them later.

MS. GALLIMORE: Yeah, yeah, yeah. No. My thought, Robert, is I think the way the information's collected for that sampling project is, you guys might be able to dig down -- and I'm just talking about the sampling project for other components used for non-intact -- so dig down into that project and see if you can sort out samples that were taken on primals and sub-primals that are intended for non-intact use.

MR. WITTE: Okay.

MR. B. WILLIAMS: Hey, this is Sherri. You might have someone to look at your follow up samples because sometimes your follow up samples piggyback to a whole muscle product.

MR. WITTE: That's a great point. Thank you.

MS. GALLIMORE: Yeah, I like that point, too.

MR. B. WILLIAMS: They're both on knowledge.

MS. GALLIMORE: Are there any concerns with including this recommendation to look at current agency sampling data? Does that accurately sum up what we discussed on 1.3?

MR. GREMILLION: I like that, yeah. This

is Thomas.

MS. GALLIMORE: So any concerns with that added recommendation and how it's worded? Okay. Hearing none, I will get back down to where we were at. And then our final recommendation on suggesting that FSIS discuss the potential on changes to the food code regarding STEC in this products.

Any concerns, comments or questions on this third recommendation? And then while we were deliberating some other points, did anyone happen to get the official name of the distributor group?

U/F: Will participants put it in the comments?

(Simultaneous speaking.)

MS. GREEN: Yes.

MS. GALLIMORE: Oh, I didn't see the comments when I'm sharing my screen. I'm sorry.

U/F: Oh yeah. No --

MS. GREEN: It's not from the Foodservice Distributors Association?

MS. GALLIMORE: Is that international?

MS. GREEN: Foodservice Distributors Association. Thank you, Mr. Stephens, for that.

MS. GALLIMORE: Is foodservice one word? I always want to break it apart, but I think it's one

word.

MS. GREEN: Yes.

U/F: One word.

MS. GALLIMORE: So Kim, you had all the right letters, just maybe not in the right order. I don't know.

MS. RICE: Yeah.

U/F: Accept the losses then.

MS. GALLIMORE: Okay. So I will open it up one last time for any comments, questions or concerns on any of the three recommendations.

(Pause.)

MS. GALLIMORE: Hearing none, I will request a motion to vote to approve these recommendations.

MR. B. WILLIAMS: So moved.

MS. GALLIMORE: Sorry, who moved?

MR. B. WILLIAMS: Byron Williams.

MS. GALLIMORE: Byron Williams. Is there a second?

MS. CONKLIN: Tina Conklin --

MR. B. WILLIAMS: Sherri Williams, I second.

MS. GALLIMORE: Go ahead Tina. Tina Conklin was first. She'll be the official second.

And then Val, would you mind going going down through the list for us?

MS. GREEN: Sure. Jennifer Eberly?

DR. EBERLY: Nay.

MS. GREEN: Tina Rendon?

MS. RENDON: I agree.

MS. GREEN: Patricia Curtis? Patricia Curtis?

(No response.)

MS. GREEN: William Battle?

DR. CURTIS: I'm sorry, this is Pat Curtis. I had technical problems getting off mute. I agree.

MS. GREEN: William Battle? Kimberly Rice? Lynn Knipe?

MS. RICE: I approve.

MS. GREEN: Okay. Thank you. Lynn Knipe?

DR. KNIPE: I agree.

MS. GREEN: Amilton De Mello?

DR. DE MELLO: I approve.

MS. GREEN: Thomas Gremillion?

MR. GREMILLION: I'm sorry. I dropped off the call and -- is this just -- are we voting on Recommendation 1 or --

MS. GREEN: For 2, Subcommittee 2.

MR. GREMILLION: Okay, yeah, I approve.

MS. GREEN: Greg Gunthorp? Greg Gunthorp?
(No response.)
MS. GREEN: Jimmy Avery?
(No response.)
MS. GREEN: Tina Conklin?
MS. CONKLIN: I approve.
MS. GREEN: Casey Gallimore?
MS. GALLIMORE: I approve.
MS. GREEN: Sherri Williams?
MS. S. WILLIAMS: I approve.
MS. GREEN: James Jenkins?
(No response.)
MS. GREEN: Joseph Harris?
DR. HARRIS: I approve.
MS. GREEN: Bryon Williams?
MR. B. WILLIAMS: I approve.
MS. GREEN: Sarah Sorscher?
MS. SORSCHER: I approve.
MS. GREEN: Denise Perry?
MS. PERRY: I approve.
MS. GREEN: Misha Robyn?
(No response.)
MS. GREEN: All right. That concludes the vote. Thank you everyone. It's almost noon and so rather than taking a lunchbreak, we're going to take

a 15-minute break and then we'll return for the closing remarks by the Under Secretary.

Before we close out -- or before we go on break, does anyone have any questions or comments?

(Pause.)

MS. GREEN: Hearing none, we'll take a 15-minute break, and we'll be back at 12:10. Thank you.

(Off the record at 11:55 a.m.)

(On the record at 12:10 p.m.)

AT&T EVENT PRODUCER: The lines are now open. You may continue.

MS. GREEN: Thank you, Michele. This is Val Green. Welcome back, everyone, and thank you all for taking part in this 2-day event.

The presentations will be posted on the FSIS website at www.fsis.usda.gov/meeting. The transcript will be posted within 90 days. The committees' recommendations will be forwarded to the Secretary for consideration.

And now, I'm going to turn the meeting over to the Under Secretary for the closing remarks. Dr. Brashears?

DR. BRASHEARS: Thank you so much.

Good afternoon, everyone. We've

accomplished a lot in just a couple of days, and we definitely could not have done it without the participation of all of you.

I really want to thank everyone who worked so hard to ensure that we would have a productive and informative meeting. In particular, I want to thank the Agency experts and, of course, the members of the public, but most of all, I want to thank our NACMPI committee members for all of your contributions and your dedication of your time and your expertise to this meeting. Your insight that you've given has no doubt informed the committee and, ultimately, the Secretary in how we can better achieve our food safety goals.

But just remember, our work here is not done. It doesn't end here. We need to continue to collaborate on ways we can provide industry with scientific support, and we want to ensure that we can better control our ready-to-eat products, and we also need to continue to explore our best practices in sampling and testing protocols so we can reduce STEC positive outbreaks, recalls, and of course death from foodborne illness.

This committee provides guidance on food safety best practices to better protect public

health, prevent foodborne illnesses, and to promote confidence in the U.S. Food Safety Inspection System, which is already one of the safest and most reliable in the world.

I look forward to our next meeting of NACMPI, and again, I want to thank everyone for participating. I hope you all have a wonderful rest of your day and a great weekend. Thank you again so much. Bye-bye.

AT&T EVENT PRODUCER: Ladies and gentlemen, thank you for joining today's conference. Your conference has ended; you may disconnect.

(Whereupon, the proceedings in the above-entitled matter were concluded.)

C E R T I F I C A T E

This certifies that the attached proceeding before the

UNITED STATES DEPARTMENT OF AGRICULTURE

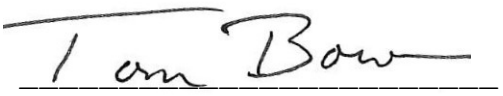
FOOD SAFETY AND INSPECTION SERVICE

IN THE MATTER OF: NACMPI Public Meeting

PLACE: Via WebEx

DATE: September 25, 2020

was held according to the record, and that this is the original, complete, true and accurate transcript which has been compared to the recording accomplished at the hearing.



R. Thomas Bowman

Court Reporter