



United States Department of Agriculture

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Food Safety and  
Inspection Service

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William D. Marler, Esq.  
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Dear Mr. Marler:

This is in response to your letter dated August 19, 2021, requesting a status update on the January 19, 2020, petition you submitted on behalf of Rick Schiller, Steven Romes, the Porter family, Food & Water Watch, Consumer Federation of America, and Consumer Reports, requesting that the Food Safety and Inspection Service (FSIS) declare certain “outbreak serotypes” of *Salmonella* to be *per se* adulterants in meat and poultry products. FSIS posted the petition to its website and requested comments on the petition through regulations.gov.<sup>1</sup> The comment period closed on May 22, 2020, and FSIS received 377 comments on the petition. On June 5, 2020, you submitted a letter to supplement the petition with additional and updated information, as well as to address some issues and criticisms raised by the comments. On March 16, 2021, you requested a status update on your petition, to which we responded on March 26, 2021. FSIS is actively evaluating the issues raised in your petition, the comments submitted on your petition, and the supplemental information provided.

As stated in our March 26, 2021, response to your previous request for a petition status update, FSIS has received a related petition from the Center for Science in the Public Interest (CSPI) and other consumer advocacy groups. The agency intends to consider the issues raised in both petitions together to ensure that any Agency actions implemented in response to the petitions are consistent. FSIS will respond to the CSPI petition and your petition after it has thoroughly evaluated the issues raised, as well as the comments submitted on the petitions and any supplemental information.

Secretary Vilsack and the USDA Office of Food Safety have recently announced USDA’s plans to explore possible new approaches for addressing *Salmonella* in poultry. FSIS will consider the issues raised in the two petitions as we consider these new approaches. In addition, FSIS has asked the National Advisory Committee for the Microbiological Criteria of Foods (NACMCF) to explore ways in which the Agency could address *Salmonella* serotypes more frequently associated with human illness, strain characteristics (e.g., virulence factors), and the quantity of *Salmonella* on raw poultry products, when evaluating industry’s control of *Salmonella*.

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<sup>1</sup> [Petition for Interpretive Rule Related to Certain Salmonella Serotypes | Food Safety and Inspection Service \(usda.gov\)](#)

We have posted your August 19, 2021, letter requesting an update on the status of your petition to the FSIS petitions webpage. We intend to post this response as well.

Sincerely,

A handwritten signature in black ink, appearing to read "Rachel Edelstein". The signature is written in a cursive style.

Rachel Edelstein  
Assistant Administrator  
Office of Policy and Program Development