



FSIS Distributes Personal Protective Equipment to Field Employees

On May 1, 2020, FSIS received its first shipment of 30,000 cloth face coverings from the Federal Emergency Management Agency (FEMA) and the agency immediately made these available to FSIS employees in the field. On May 5, 2020, FSIS received an additional 50,000 cloth face coverings and on May 6, 2020, FSIS received 320,000 paper masks. FSIS now has enough masks and face coverings on hand to keep agency inspection personnel supplied for the next few months.

FSIS also received 5,000 face shields that have been made available to agency in-plant personnel. The agency is working to procure an additional allotment with a goal of having two face shields for every FSIS in-plant personnel.

FSIS employees are required to wear face coverings, to wear them properly, and have been given instructions on how to do so. If plants are requiring and providing face coverings to their employees, the expectation is that establishments provide face coverings for FSIS inspectors, just like hair nets and beard nets.

The face coverings that FSIS has provided are in line with recommendations and guidance from the Centers for Disease Control and Prevention (CDC). The CDC and the Occupational Safety and Health Administration (OSHA) guidance for meat and poultry workers states that face shields can provide additional protection from both potential process-related splashes and potential person-to-person droplet spread. FSIS has instructed its field personnel to wear these face shields over face coverings to minimize contamination of facemasks and cloth face coverings.

FSIS has also secured ongoing shipments of hand sanitizer through the end of May. The agency will receive 2,000 one-gallon containers of liquid hand sanitizer every week. FSIS is shipping the sanitizer to establishments for use by agency in-plant personnel.

As a reminder, the face coverings, face shields, and hand sanitizer are not a replacement or a substitute for all of the actions the CDC recommends for protection, such as social distancing. This must be implemented to the fullest extent possible in plants. The CDC also recommends frequent hand hygiene, prioritizing handwashing and using hand sanitizer in addition to handwashing or when a sink is unavailable.

For more information on USDA's FAQs and resources on coronavirus (COVID-19), visit: <https://www.usda.gov/coronavirus>.

In This Issue

- 1 FSIS Distributes Personal Protective Equipment to Field Employees
- 2 Implementation of Executive Order 13917
- 2 Export Requirements Update
- 2 COVID-19 FAQs
- 3 Tips for Faster Label Approval Process
- 4 FSIS Retail Lm Pilot Project Update

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Implementation of Executive Order 13917

[Executive Order 13917](#), signed by President Trump on April 28, 2020, delegated to the Secretary of Agriculture the powers of the President under the Defense Production Act to take all appropriate action to ensure America's meat and poultry processors continue operations.

Maintaining the health and safety of plant employees in addition to ensuring continued operations and a plentiful food supply during this unprecedented time is paramount. Our Nation's meat and poultry processing facilities and workers play an integral role in the continuity of our food supply chain.

FSIS' mission is to inspect meat and poultry products to ensure that they are wholesome and safe. For this reason, USDA is partnering with the Centers for Disease Control and Prevention (CDC) and the Occupational Safety and Health Administration (OSHA) as they have the authority and expertise over public health and worker safety issues for plant employees.

Effective immediately, meat and poultry processing plants should utilize the [guidance](#) issued on April 26, 2020, by the CDC and OSHA specific to the meat and poultry processing industry to implement practices and protocols for safeguarding the health of their workers and the community while staying operational or resuming operations to the maximum extent possible. Should you need technical assistance, OSHA has an [extensive consultation program](#) that offers no-cost and confidential occupational health and safety services in all 50 states. Though usually aimed at small and medium sized employers, OSHA has waived this size requirement for meat processing facilities during the national emergency. Facilities that need assistance in implementing the CDC/OSHA guidance in their facilities may [contact](#) their local consultation office.

USDA, alongside our federal partners at CDC and OSHA, will continue to work with state and local officials to ensure that facilities are implementing best practices designed to mitigate the spread of COVID-19, while maintaining operations. Further action under the Executive Order and the Defense Production Act will be taken if necessary. If you have questions, please see the [FAQs](#) on the USDA website under the "President Trump's Executive Order" tab.

FSIS thanks establishments for ensuring that their employees will be able to continue working to provide Americans with an abundant, healthy, and safe food supply.

COVID-19 FAQs

Make sure to review our Frequently Asked Questions at [USDA.gov/coronavirus](https://www.usda.gov/coronavirus). New this week:

1. What does the Executive Order direct the Department of Agriculture to do?
2. What should meat and poultry plants that are currently closed do?
3. What role will USDA play in implementing the President's executive order?
4. Will USDA issue orders with allocations of production on a company-by-company basis or will there, instead, be an industry-wide approach?
5. Will this be done in the form of an agency rule(s) or guidance? By when?
6. Is there a national testing plan specific to meat and poultry processing plants?
7. What kind of resources can or will be made available to meatpacking facilities, to protect plant employees, given the new Executive Order?

Export Requirements Update

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

Australia
Mexico
Vietnam

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

Tips for Faster Label Approval Process

Labels are currently taking about **6-7 business days** to evaluate.

TIP: Establishments correcting a label with a pressure sensitive sticker are not required to submit the label to FSIS for approval, provided the sticker does not bear any special statements or claims.

Pressure sensitive stickers are commonly used as a means for establishments to cover inaccurate or misleading information on existing labeling material with corrected information, such as updating the company address on a label or modifying a handling statement. When the application of the pressure sensitive sticker brings a non-compliant label into compliance, submission of the label to FSIS for a temporary label approval is not required because the entire label, including the information on the pressure sensitive sticker, will be truthful, accurate, and not misleading per 9 CFR 412.2. For example, applying a sticker to cover up a claim that is no longer truthful, such as covering up the claim “beef used raised without antibiotics” when the establishment is no longer using beef eligible to bear the claim, would not require temporary label approval because the sticker brings the label into compliance.

Pressure sensitive stickers may also be used to add new information to labeling, such as adding the text, “New & Improved Formula,” in a starburst or other promotional materials. Submission and FSIS approval of the label is required for the entire label only when pressure sensitive stickers contain new special statements or claims that FSIS has not yet approved (e.g., negative claims, organic and “all natural” claims or animal raising claims). For example, an establishment applying a sticker with a negative claim, such as “gluten free” to a product label that has not previously been approved by FSIS for a gluten free claim, must submit the label and sticker for approval per 9 CFR 412.1. However, a pressure sensitive sticker applied to a meatball label qualifying the product name with “made with beef and pork” would not require FSIS approval, provided the statement was truthful because the statement is not considered a special statement or claim.

NOTE: A pressure sensitive sticker must be the type that destroys the label or package if removed to ensure that the label remains truthful and not misleading.

For more information about what types of information on a pressure sensitive sticker require FSIS approval and what information is eligible for generic approval see the FSIS Compliance Guideline for Label Approval at <https://www.fsis.usda.gov/wps/wcm/connect/bf170761-33e3-4a2d-8f86-940c2698e2c5/Label-Approval-Guide.pdf?MOD=AJPERES>.

For additional information about pressure sensitive stickers see <https://www.fsis.usda.gov/wps/portal/fsis/topics/regulatory-compliance/labeling/Labeling-Policies/pressure-sensitive-stickers/pressure-sensitive-stickers>.

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

FSIS Retail Lm Pilot Project Update

On Jan. 25, 2016, FSIS launched a multi-year nationwide pilot project to assess whether retail delicatessens are using the recommendations in the document titled [FSIS Best Practices Guidance for Controlling Lm in Retail Delicatessens](#). Since January 2016, FSIS has assessed a total of 6,445 retail delis to determine the adoption rate of the recommendations. FSIS continues to track progress for this pilot project in its [Fiscal Year 2020 Annual Plan](#) and the [FSIS Strategic Plan, FY 2017-2021](#).

As of the second quarter in fiscal year (FY) 2020, FSIS achieved its target with 1,234 assessed retail delis following 92% of the 33 recommendations, over the previous 12 months (target 92%). Under its strategic and annual plans, FSIS is also tracking whether the retail delis assessed are following all of the top eight recommendations identified in the FSIS retail Lm guidance. The top eight recommendations can be found on pages 1-2 of the [FSIS Directive 10.310.1- Pilot Project: Control of Listeria monocytogenes in Retail Delicatessens](#).

As of the second quarter in FY 2020, FSIS exceeded its target with 70% of the 1,234 assessed retail delis following all eight of the most important recommendations over the previous 12 months (target 63%). These results are similar to last fiscal year and quarter, with FSIS meeting or exceeding its targets for both measures.

Retailers can refer questions regarding the Lm pilot project to FSIS through [askFSIS](#) or by telephone at 1-800-233-3935. When submitting a question, retailers should use the "Submit a Question tab" and enter "Retail Lm" in the subject field, select "General Inspection Policy" for the product, "Sampling" for the category, and "Domestic (U.S.) Only" for the policy arena.

Policy Updates

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

FSIS Directive 6100.1 Rev. 3 - Ante-Mortem Livestock Inspection

FSIS Notice 24-20 - The Families First Coronavirus Response Act Emergency Paid Sick Leave Act Provisions

FSIS Notice 23-20 - Mandatory Equal Employment Opportunity and Civil Rights Training For All FSIS Supervisors

FSIS Notice 22-20 - FSIS Microbiological Sampling of Domestic Egg Products

FSIS Notice 21-20 - Fiscal Year 2020 - Student Loan Repayment Program For In-Plant Veterinary Medical Officers - Application Process