

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

Thursday,
September 24, 2020

The above-entitled matter came on for
virtual meeting, pursuant to notice, at 1:30 p.m.

FACILITATOR: RACHEL EDELSTEIN
Subcommittee DFO

A P P E A R A N C E SOn behalf of FSIS:

RACHEL EDELSTEIN
Subcommittee Designated Federal Officer

ROBERT WITTE
Lead

JONATHAN HUANG
Primary Note Taker

SHERCODA SHAW
Note Taker

SHEKELLE BAZEMORE
Note Taker

Subcommittee Members:

DR. JIMMY L. AVERY
Mississippi State University

TINA CONKLIN
Michigan State University

CASEY LYNN GALLIMORE, Subcommittee Chair
North American Meat Institute

SHERRI L. WILLIAMS
JBS USA, LLC

JAMES JENKINS
Louisiana State Department of Agriculture
and Forestry

DR. JOSEPH JAY HARRIS
Southwest Meat Association

DR. BYRON WILLIAMS
Mississippi State University

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SARAH SORSCHER
Center for Science in the Public Interest

DENISE L. PERRY
Lorentz Meats

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P R O C E E D I N G S

(1:47 p.m.)

MS. EDELSTEIN: Well, first I'm just going to go over FSIS real quick.

Witte?

MR. WITTE: Yep.

MS. EDELSTEIN: Jonathan Huang?

MR. HUANG: Yes, I'm here.

MS. EDELSTEIN: Shercoda Smaw?

MS. SMAW: I'm here, ma'am.

MS. EDELSTEIN: And Shekelle?

MR. BAZEMORE: Yes, I'm here. I'm here.

MS. EDELSTEIN: Okay, great. Now, I'm going to call out the committee members and just ask you to also state your name and your affiliation for the record again, just so --

(Audio distortion.)

DR. AVERY: -- for the National Warmwater Aquaculture Center housed at Mississippi State University.

MS. EDELSTEIN: Great. Tina Conklin?

MS. CONKLIN: Yes. Tina Conklin, Michigan State University. Michigan State University Product Center and Food Processing and Innovation Center.

MS. EDELSTEIN: Great. Casey Gallimore?

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1 MS. GALLIMORE: Casey Gallimore, Director
2 of Regulatory and Scientific Affairs at the North
3 American Meat Institute.

4 MS. EDELSTEIN: Okay. Thanks. Sherri --

5 AT&T EVENT PRODUCER: Good afternoon -- I'm
6 sorry to interrupt, ma'am. Good afternoon. I see
7 someone else has joined us on the speaker line. May
8 I ask who joined?

9 (No response.)

10 AT&T EVENT PRODUCER: Good afternoon. This
11 is Michele, your event producer. May I ask who
12 joined us on the speaker line? Number is 240 --

13 (Simultaneous speaking.)

14 U/F: Susan --

15 AT&T EVENT PRODUCER: I'm sorry, your first
16 name again?

17 U/F: Susan.

18 AT&T EVENT PRODUCER: Susan, okay.
19 Perfect. All right. I'm sorry. You can proceed,
20 and I'll let the audience know we're starting
21 shortly. Is that okay?

22 MS. EDELSTEIN: Yeah, but the only people
23 who should be on the speaker line are people on the
24 panel, and you have the list of -- you have the
25 panel list.

1 AT&T EVENT PRODUCER: Okay. So I'll let
2 everybody know they're on the speaker line. If
3 anybody's on the speaker line who should not be,
4 they should be in the audience. So you can continue
5 with your -- I think you were talking -- doing a
6 role call?

7 MS. EDELSTEIN: Yeah, I am. Sherri
8 Williams?

9 MS. S. WILLIAMS: Yeah. Sherri Williams,
10 JBS USA, Head of Technical Services for Regional
11 Beef.

12 MS. EDELSTEIN: Thank you. James Jenkins?

13 (No response.)

14 MS. EDELSTEIN: Okay. Event coordinator,
15 can you see, is he on the -- in the audience line?
16 Do you have to move him?

17 AT&T EVENT PRODUCER: I would have to make
18 an announcement for him to identify his line. I
19 can't physically move him from the attendee line,
20 but I can identify his line and unmute it. And I
21 also can send another reminder how to dial in the
22 correct information as well. So what would you
23 prefer me to do? Just identify his line if he's
24 there?

25 MS. EDELSTEIN: Yeah, if you can.

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1 AT&T EVENT PRODUCER: Okay. I will --
2 (Simultaneous speaking.)

3 MS. EDELSTEIN: -- to have to move him.

4 AT&T EVENT PRODUCER: Okay. Sure.

5 MS. EDELSTEIN: Okay. I'll keep going for
6 now. Byron Williams?

7 DR. B. WILLIAMS: Yes. Byron Williams,
8 Mississippi State University, Extension Service.

9 MS. EDELSTEIN: Oh, and I'm sorry, and Joe
10 Harris?

11 (No response.)

12 MS. EDELSTEIN: Okay. Michele? Same
13 issue, we're having the same issue with Joe Harris.

14 AT&T EVENT PRODUCER: Okay. I've just made
15 an announcement to the audience. Looks like one
16 person has raised their hand, so I'm going to unmute
17 them. Okay?

18 MS. EDELSTEIN: Yep.

19 (Pause.)

20 MS. EDELSTEIN: Has somebody just been
21 unmuted? I'm not hearing anybody.

22 AT&T EVENT PRODUCER: So I have to open the
23 line in order for him to be able to speak, so do we
24 just want to go ahead and get started or --

25 MS. EDELSTEIN: No. I've got to verify

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1 that everybody's here.

2 AT&T EVENT PRODUCER: Okay. All right.

3 One moment.

4 U/M: Jeez.

5 MS. EDELSTEIN: Okay. I'm looking for
6 James Jenkins or Joe Harris.

7 (No response.)

8 MS. EDELSTEIN: Okay. I'm going to keep
9 going then. Sarah Sorscher?

10 MS. SORSCHER: I'm here. Thank you.

11 MS. EDELSTEIN: Great. Okay. Oh, and
12 sorry, just go ahead and say your --

13 MS. SORSCHER: This is Sarah Sorscher. I'm
14 the Deputy Director of Regulatory Affairs at Center
15 for Science in the Public Interest.

16 MS. EDELSTEIN: Great. And then Denise
17 Perry?

18 MS. PERRY: Yes, I'm here. I'm Plant
19 Manager at Lorentz Meats in Cannon Falls, Minnesota.

20 MS. EDELSTEIN: Great. Then I think the
21 last person, I think Alice Johnson, I think we
22 already heard she was unavailable today.

23 Okay. So we're still waiting for James Jenkins
24 and Joe Harris.

25 AT&T EVENT PRODUCER: All right. So that

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1 person will not respond to me on the audience line
2 even though I unmuted him, so when we begin, I guess
3 we can -- his line is unmuted, his or her; they will
4 not respond to me, unfortunately. So do you want to
5 go ahead and get started, or what would you like to
6 do? Because I can't get that person to respond.
7 The number is 985-320-5137.

8 MS. EDELSTEIN: What we can do is -- see,
9 the first thing that the group has to do is to
10 select a chairperson before they move to
11 deliberations, so can I turn that over to the group
12 to select? And I will try to get in touch with
13 somebody who can get in touch with the two people
14 we're missing.

15 AT&T EVENT PRODUCER: And once again,
16 ladies and gentlemen, I apologize that you got the
17 incorrect dial-in info, but we'll get moving as soon
18 as you're ready.

19 MS. EDELSTEIN: Okay. But, group, do you
20 want to -- does everybody on the committee, can you
21 discuss so you can pick a chairperson?

22 MS. S. WILLIAMS: This is Sherri Williams
23 with JBS. I would volunteer Casey Gallimore with
24 NAMI.

25 MS. GALLIMORE: I was just going to
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1 volunteer you, Sherri.

2 AT&T EVENT PRODUCER: Good afternoon. I
3 see someone has joined us on the speaker line. This
4 is Michele, your event producer. May I ask who
5 joined?

6 MR. JENKINS: Jim Jenkins.

7 AT&T EVENT PRODUCER: Hello, Jim. Were you
8 in the audience initially?

9 MR. JENKINS: Yes, I was lost.

10 AT&T EVENT PRODUCER: Okay. So it sounds
11 like you got the wrong dial-in information. I do
12 apologize. I'm sorry. Go ahead and continue your
13 discussion, and let me know when you would like me
14 to connect with the folks who are in the audience.

15 MR. WITTE: Hey, Jim. Can you go ahead and
16 announce yourself and your affiliation for the court
17 reporter to have it on the record? And then we'll
18 get back to the nomination for lead or chairperson
19 here.

20 MR. JENKINS: Sure. My name is Jim
21 Jenkins, and I'm the Director of the Louisiana Egg
22 Commission for the Louisiana Department of
23 Agriculture and Forestry.

24 MR. WITTE: Perfect. Thank you. Right
25 now, we're nominating a chairperson, a leader here

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1 to lead this. Right now, there's been a nomination
2 for Casey with NAMI and Sherri with JBS. So I'll
3 let you guys kind of discuss that, if there's any
4 other nominations or what you guys think.

5 U/M: Move nominations be closed.

6 MS. EDELSTEIN: So what was the final
7 decision? Casey or Sherri?

8 MS. S. WILLIAMS: Casey. That's my vote.

9 MS. EDELSTEIN: Okay. Does anyone want to
10 second that, or any concerns?

11 MS. CONKLIN: This is Tina Conklin,
12 Michigan State. I second that nomination.

13 MS. EDELSTEIN: Okay. Thank you, Casey.
14 And have we heard -- we've got James Jenkins. Is
15 Joe Harris on the line?

16 DR. HARRIS: Yes. I just got back -- I
17 just found my way through the fog, into the meeting.

18 MS. EDELSTEIN: Excellent. So can you just
19 announce yourself and your affiliation? Then we'll
20 be all set.

21 DR. HARRIS: Sure. Joe Harris, Southwest
22 Meat Association.

23 MS. EDELSTEIN: Thank you. Okay. Now,
24 with that, we're going to turn it over to the
25 committee to move into deliberations, and we have

1 our -- you know, Bob is available to answer any
2 questions, and we have note takers available to
3 assemble the information.

4 AT&T EVENT PRODUCER: All right. Would you
5 like me to open the line and announce? Let me know
6 if you'd like me to open the line and announce the
7 whole event.

8 MS. EDELSTEIN: Yeah, I think that's fine.
9 But, I mean, the only people who can talk are the
10 panelists. Everybody else is in listen-only mode.

11 AT&T EVENT PRODUCER: That's correct, yes.
12 I do have a script here from the previous EP, so I'm
13 going to go ahead and read that and introduce
14 myself. I'm being told I should do that and then
15 make sure we know how to use the chat and all that
16 kind of thing. Is that still good?

17 MS. EDELSTEIN: That sounds good.

18 AT&T EVENT PRODUCER: All right. Let me go
19 ahead and announce to the audience and unmute the
20 audio. Please stand by.

21 MS. SORSCHER: I'm sorry. Could we -- this
22 is Sarah from CSPI. I'm not sure how the discussion
23 is supposed to go, but we were given those charges
24 in the general meeting. It might be helpful to
25 review those and maybe -- you know, are we going to

1 go through those step-by-step, or is this discussion
2 going to work in some other way? Can someone
3 explain that?

4 MS. EDELSTEIN: Yeah. That's typically how
5 I've seen in the past, that's how committees have
6 worked, just having the charges, you know, going
7 through the charges one-by-one and responding.

8 MR. HUANG: Yeah. This is Jonathan. I
9 currently think the event has not officially
10 started, so I cannot share my screen. I'll be the
11 primary note taker for today's committee discussion,
12 but once the session is started, I can share my
13 screen and all the charges we discussed in the
14 morning.

15 AT&T EVENT PRODUCER: Okay. Who is it that
16 I need to give presenting rights to? I'm sorry, I
17 didn't catch your name, sir.

18 MR. HUANG: This is Jonathan Huang.

19 AT&T EVENT PRODUCER: Jonathan Huang, okay.
20 I am giving you presenting rights right now,
21 Jonathan.

22 MR. HUANG: Okay, perfect.

23 AT&T EVENT PRODUCER: And then we should --
24 do you want to go ahead and get started in terms of
25 the introduction, ladies and gentlemen?

1 MS. EDELSTEIN: Sure. You'll introduce,
2 right?

3 AT&T EVENT PRODUCER: I will. I'm going to
4 do that right now, so please stand by as I connect.

5 (Pause.)

6 AUTOMATED RECORDING: Your line is now
7 unmuted.

8 AT&T EVENT PRODUCER: Welcome and thank you
9 for joining today's conference, National Advisory
10 Committee on Meat and Poultry Inspection Public
11 Meeting. My name is Michele Ridley (ph.), and I
12 will be your event producer for this conference.

13 Before we begin, please ensure that you
14 have opened the chat panel by using the associated
15 icon located at the bottom of your screen. If you
16 require technical assistance, please send a chat to
17 the event producer.

18 Please note, all audio lines have been
19 muted for the duration of the call until the Q&A
20 portion of the call. We will give you instructions
21 on how to ask a question at that time. To submit a
22 written question, select All Panelists from the
23 dropdown menu in the chat panel, then enter your
24 question in the message box provided and send.

25 With that, I will turn things over to the

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1 moderator, Val Green.

2 MS. EDELSTEIN: Sorry, this is -- Val Green
3 is on the other committee, so this is Rachel
4 Edelstein, and we are going to be -- we're working
5 on the FSIS Testing of Boxed Beef Primal and Sub-
6 Primal for STEC. Bob Witte is available to answer
7 any questions, and Casey Gallimore is going to be
8 the chairperson for the deliberations.

9 And I think -- yeah, we can see the screen
10 now, and we've got -- we're turning the discussion
11 over to the committee, and FSIS is available to --
12 for note taking, and Bob Witte is available for any
13 questions, and -- oh, and for the reporter, I wanted
14 to request, as people talk on the committee, say
15 your name first so that the reporter can capture
16 everything for the record.

17 Are there any questions about any of that?

18 MS. SORSCHER: I don't have a question
19 about the process -- this is Sarah from CSPI -- but
20 I did have a question before we start to dive into
21 the prompts, the specific prompts, and that was --
22 and maybe this is something I'd like to kick to my
23 subcommittee members as well.

24 But my understanding from the morning
25 session is that the issue we're grappling with here

1 is not that there's some specific control with these
2 products that we want to encourage establishments to
3 implement, that the boxed beef isn't treated
4 differently if it's slaughtered for -- or it's being
5 prepared for grinding versus other intended uses.
6 It's just really that we want to ensure that FSIS's
7 testing program covers all of the beef that's going
8 to be ground. Is that accurate? I mean, do folks
9 think that I captured the morning's discussion
10 correctly with that?

11 MR. WITTE: This is Bob, and I think yes.
12 I mean, I think there's a lot of pieces that kind of
13 intertwine with that statement, but yes. Should
14 this be something that FSIS should sample in the
15 future or continue not to?

16 MS. SORSCHER: Right. So the goal for our
17 conversation is, how do we ensure that the FSIS
18 testing program actually is covering as well as
19 possible -- is fitting as well as possible onto the
20 products that are actually going and then being
21 ground, right? And that might be through, you know,
22 identifying more products we can test, or it could
23 be through ensuring communication happens so that
24 retailers aren't purchasing the wrong -- the meat
25 that they shouldn't be grinding.

1 MR. WITTE: Yep, you're right on the right
2 track. Yep, yep.

3 MS. SORSCHER: All right, thanks. I just
4 wanted to get that clear in my head before we delve
5 into the actual steps we're going to talk about
6 taking to accomplish that goal.

7 MR. WITTE: Okay. Yeah. I mean, if
8 there's any other procedural questions, let us know.
9 I mean, otherwise, we'll turn it over to Casey and
10 let her start the discussion.

11 MS. GALLIMORE: Okay. Thanks. And just
12 for -- who was that, that was just speaking? Was
13 that you, Sarah?

14 MS. SORSCHER: Yes, I was the -- this is
15 Sarah Sorscher from CSPI, and I was asking the
16 questions just now.

17 MS. GALLIMORE: Okay. Thank you very much.
18 This is Casey Gallimore with the Meat Institute. So
19 I will try and get us started off. I think your
20 question is helpful and might be a good place to
21 kind of branch off on.

22 So the first question that's on the screen
23 is that, if an establishment identifies boxed beef
24 primals and/or sub-primal products are intended for
25 non-intact cuts, should FSIS continue to not sample

1 or test these products? And I think you bring up a
2 very good point, Sarah, that, you know, are
3 establishments treating it differently currently if
4 it's not intended for intact cuts or if it's
5 intended for non-intact use?

6 So, typically, I think the vast majority of
7 boxed beef primals and sub-primals at the slaughter
8 establishment, the slaughter establishment is not
9 intending those products to be used for non-intact
10 use. Typically, slaughter establishments would
11 understand more combo'd products, so things that are
12 in large bins, might be used by a further processor
13 for non-intact use, and those things are normally
14 known. But any boxed beef primals and sub-primals
15 typically fall under that they're not intended for
16 non-intact use. So I think if -- hopefully that
17 kind of clarifies a little bit of the current
18 situation.

19 And then I think another key thing to kind
20 of start off this discussion is understanding the
21 supply chain of these products a little bit, because
22 it's not -- the supply chain of meat and poultry
23 products and most food products is not extremely
24 simple. You know, you don't have one establishment,
25 one slaughter establishment that produces boxed

1 beef, and that boxed beef goes directly to one
2 grocery store.

3 It's much more complicated than that.
4 There are further processors often involved; there
5 are brokers often involved; as well as distribution
6 chains, so even if you are sending it to retail for
7 grocery stores, that grocery store may purchase from
8 a distributor. So there's a very complicated supply
9 chain.

10 And I think that's part of the problem with
11 the current system, is that the information being
12 supplied to who is supposed to be the end-user of
13 the product, is supplied in an invoice or through a
14 website to the next person in the supply chain. And
15 we think one of the issues is that, that chain of
16 custody is not getting moved forward all of the way.

17 So my question I'm going to pose a little
18 bit differently than Question Number 1 would be, any
19 time we sample for product, we have to think about
20 what we're going to do if it tests positive. So, if
21 we start testing boxed beef primal or sub-primal
22 products at the slaughter establishment, what do we
23 do when it tests positive? And part of the reason I
24 ask this question is because STEC in boxed beef
25 primal or sub-primal products that are intact isn't

1 an adulterant. So what are we going to do
2 differently with product that has tested positive
3 versus product that hasn't?

4 Any thoughts on that question?

5 MS. S. WILLIAMS: This is Sherri Williams
6 with JBS. Casey, before I attempt to digest that
7 question, I had a couple things that I wanted to
8 bring up, one of which that stood out to me through
9 Mr. Witte's presentation is the fact that it was
10 retailers, retailers, retailers. And we do know
11 that FSIS does not have regulatory authority over
12 non-federal establishments, and Ms. Edelstein told
13 us earlier today that if that were the case that it
14 would be a legislative change, so that's kind of for
15 the long haul.

16 My question to that -- and maybe,
17 Ms. Edelstein, if you could help me on this one --
18 how did we get the grinding laws in effect to cover
19 retail grinders if that was the case?

20 MS. EDELSTEIN: Sorry. We don't have
21 authority to inspect -- I mean, you know, we don't
22 mandate inspection at and we don't cover inspection
23 at retail establishments, but we do have authority -
24 - I mean, we do test at retail, and if the product
25 is -- I mean, if we find ground product positive for

1 STEC at retail, that is considered adulterated.

2 And we do have authority to require
3 recordkeeping at retail. We just cover inspection.
4 I thought that was more the question that was asked
5 this morning.

6 MS. S. WILLIAMS: Okay. So there is some
7 type of regulatory oversight with regards to
8 recordkeeping, which obviously having a HACCP plan
9 is a record or a document. I don't know if there's
10 something along those lines where we could start, in
11 addition to educating the retailers on a lot of the
12 things that they seem to think they either don't
13 want to know or don't want to acknowledge, seeing if
14 that could be a place, too, to interject as well.

15 I agree that there is an issue with the way
16 the system on that end works, if you will. So the
17 retailer saying, no, we don't have any idea -- I
18 think the people that are in the corporate offices
19 in these retail organizations have every idea.
20 Whether or not the local butcher in that store in
21 that town knows, I would think that, that onus would
22 be on that organization. But that's where we're at,
23 I believe.

24 And so, somehow, we're trying to figure out
25 how to compensate for that, if you will, to make

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1 sure the information gets to where it needs to be
2 all the time and that they do the right thing with
3 it all the time. And I don't know that testing more
4 and trying to test safety into this system at this
5 point is going to make anything much better, if you
6 will, or make the products safer.

7 We do know that, through the years of all
8 of the testing that's been being done by both
9 industry and the Agency, that sampling our trim and
10 getting that to the very definite means by which
11 we've done thus far over our many, many years in
12 working together, that we have made an impact on
13 improving those percentages and taking care of and
14 weeding those things out of the system so it does
15 not go into the non -- or the comminuted raw grind
16 sector.

17 So I would offer those things as well as
18 what Casey had said as more discussion points or
19 information or -- if that's even a point for
20 recordkeeping with the retailers. I don't know.

21 DR. HARRIS: This is Joe Harris at
22 Southwest Meat Association. Just to clarify one or
23 two things, or ask a question just for
24 clarification, the beef trim sampling that is done,
25 what is MT -- whatever number; I forget the number

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1 of the program -- that is only at federal
2 establishments. Am I correct on that, Rachel?

3 MS. EDELSTEIN: Yes. It's like MT -- I
4 don't know, 65 or something --

5 MR. WITTE: It's M -- yeah, MT 60 is
6 slaughter, MT 65 at further processors.

7 MS. EDELSTEIN: Yeah, and the retail
8 sampling has another code, like MT --

9 DR. HARRIS: Okay.

10 MS. EDELSTEIN: -- or something.

11 DR. HARRIS: So that is not beef trim;
12 that's only ground product that's being tested at
13 retail, right?

14 MS. EDELSTEIN: Right.

15 DR. HARRIS: Okay. And I want to also
16 second something that Sherri just said. Over time,
17 I think, you know, been involved in this basically
18 ever since we've been dealing with STEC as pathogens
19 in a serious way since the early '90s, and the vast
20 majority of our progress in testing and identifying
21 and getting STECs out of the system has been through
22 trim sampling.

23 I'm not sure how much -- I'm not sure how
24 effective the sub-primal sampling is going to be on
25 identifying contaminated product. And, as Sherri

1 said, then you could run up against the question of,
2 now what do we do with it if it's not considered
3 adulterated since it's going into intact product
4 instead of non-intact?

5 MS. GALLIMORE: This is Casey Gallimore. A
6 point that Sherri and Joe have both brought up that
7 I want to make sure is understood by the group, and
8 please correct me if I'm wrong, but I think part of
9 what you're bringing up on why trim sampling has
10 worked and why it may not be as effective of a plan
11 with primals and sub-primals, at least in my
12 opinion, is trim sampling works because you're doing
13 N60 sampling and you're getting a fairly robust
14 sample that's going to include product from multiple
15 carcasses and multiple cuts.

16 If you're doing primal and sub-primal
17 products, I don't see a good sampling method that's
18 going to get a big picture like trim sampling and
19 ground sampling can do. My guess is that it would
20 be much like carcass sampling was, and we stopped
21 carcass sampling because it wasn't helpful, because
22 we weren't finding positives that way.

23 Is that -- Sherri and Joe, is that kind of
24 the -- am I on the right path? Is that why you're
25 thinking, you know, trim sampling works and primals

1 and sub-primals wouldn't, or is there another avenue
2 or aspect to consider?

3 MS. S. WILLIAMS: This is Sherri Williams
4 with JBS. Yes, Casey, I will tell you that the data
5 that we have that we check on a daily basis here
6 year-over-year, we will find it more readily in the
7 trim because of our robust sampling and testing
8 procedures versus, say, a whole muscle and a Cryovac
9 packaged across, going out. It's -- that is the
10 place where -- I don't want to say that activity,
11 but it seems to be the best place for our robust
12 sampling that we can capture all of that and have a
13 really good idea of what's going on.

14 DR. HARRIS: Yes. This is Joe Harris, and
15 I agree with that completely.

16 MR. JENKINS: Sherri?

17 MS. S. WILLIAMS: Yes?

18 MR. JENKINS: This is Jim Jenkins. Would
19 you just kind of give us an overview of your
20 intervention on the carcasses in the big plants?

21 MS. S. WILLIAMS: I will do my best to
22 summarize. I won't -- I can't go into exact details
23 --

24 MR. JENKINS: Yeah. Right.

25 MS. S. WILLIAMS: Okay. So, typically, we

1 have immediate hide-off interventions across. You
2 have steam vacuuming, you have some organic acid
3 applications, things of that nature that you can
4 utilize, as well as sanitary dressing practices.
5 And then we have usually a pre-evisceration wash
6 cabinet that could include hot water, could include
7 an organic acid, could include a variety of things.

8 And then usually the final carcass
9 intervention, which is typically a CPP (ph.) for
10 most everybody, and that is either a hot water, a
11 steam pasteurization, it could be an organic acid,
12 could be a combination of organic acids; there's
13 very -- quite a few options, as well as multiple
14 other sprays or mists, if you will, following those
15 cabinets of an organic acid or a combination of an
16 acid or something of that nature. You could even
17 add in some of the chemical antimicrobials that are
18 approved, I believe there's a bromine, things of
19 that nature are available. Very expensive document,
20 but that's just kind of to sum it up.

21 In addition, our interventions don't stop
22 there. We continue them through the chilling cycle
23 and into our fabrication floors, and so we treat
24 everything that comes through there the same. We
25 don't know whether it's going to go which way, so we

1 treat them all the same.

2 MR. JENKINS: Right. So, that being said,
3 then these primal cuts that we're talking about, the
4 outer surfaces of those cuts have been -- have gone
5 through several different intervention steps before
6 they go into that box.

7 MS. S. WILLIAMS: They have, yes, and as
8 well as we also trim them to product specification,
9 which is typically removing the fat later and
10 sending it to our trimmings area, which is where
11 Casey's talking about how we get the opportunity to
12 have multiple carcasses contribute to that, so we
13 have a more robust sampling of that. In addition,
14 we'll have interventions that are sprayed on product
15 prior to going into the packaging bag for sub-
16 primals.

17 MS. SORSCHER: So this is Sarah from CSPI.
18 I hear this point that they're using the same
19 controls on all the products and that, you know, a
20 lot of those controls are fairly effective. I think
21 I just want to refocus us on the public health
22 problem that was identified this morning, which is
23 that FSIS has a testing program to assess the safety
24 of meat that's intended for ground use, and we've
25 seen from the retailers that more than 80 percent of

1 the beef that they're actually grinding at retail
2 doesn't fall into that bucket. So that's a huge
3 loophole in FSIS's testing program, and we've seen
4 outbreaks tied to these products.

5 So, you know, I think FSIS has presented
6 two solutions for us to talk about. One is, is
7 there a way that they can test more of the boxed
8 beef, either by -- you know, is there some subset
9 that's more likely to be used by retailers to grind,
10 and can they test that? And I'm hearing a lot of
11 concerns around that.

12 And then the other is, is there a way to
13 turn up incentives on retailers to actually get them
14 to pay attention to what they're purchasing and
15 making sure they they're buying beef that's clearly
16 intended for grinding and create that market
17 pressure? And we haven't talked a huge amount about
18 that.

19 There was some discussion around labeling
20 this morning as an option. But, right now, what the
21 establishments are doing is putting a little
22 boilerplate notice on their websites that no one
23 understands, and that's obviously not effective. So
24 I want -- I think we should focus on how we're going
25 to solve this problem and what would actually be

1 feasible.

2 MS. GALLIMORE: Thank you, Sarah. This is
3 Casey Gallimore. So I think it's -- you broke it
4 down into two fairly good points.

5 So I think we've had some discussion
6 already on how and if option one, essentially, you
7 know, can we just test the products that are going
8 into this non-intact use? Some points that I've
9 heard and some that I'll throw in. The sheer amount
10 of primal and sub-primal products produced -- I
11 mean, you're talking about two-thirds of the product
12 produced is a primal or sub-primal.

13 We could definitely look at what of those
14 products are more likely to go into non-intact use
15 at a retailer. Obviously, a lot of those products
16 are going specifically to food service, so those
17 wouldn't necessarily count. Some of those are
18 bone-in products and are probably less likely to be
19 ground, unless -- again, unless the retailer is
20 using bench trim, so that kind of throws another
21 wrench into it.

22 I think trying to have any kind of
23 meaningful sampling program of such a large category
24 is going to be very, very difficult, and I don't
25 know how successful we will be in getting down to

1 products that are more likely to be used. So I like
2 your second point that maybe we need to figure out a
3 way to improve communication from, you know, all the
4 way through the supply chain so retailers understand
5 what products are or are not intended for intact or
6 non-intact use.

7 And I think there's another point to
8 consider here. So, if you're selling boxed beef
9 primals and sub-primals to another regulated
10 establishment, and they determine that they would
11 like to use those whole-muscle products to create
12 ground beef, there's an onus on those establishments
13 to consider STEC and to have controls in place for
14 that. There's a litany of different things that
15 they could do. But, essentially, our retailers are
16 kind of in a loophole right now.

17 So my concern is that even if we tell them
18 that, hey, these products aren't -- and get that
19 message clearly across that these products are not
20 intended for intact use or non-intact use, are they
21 going to have the same onus on them to do something
22 about it? And I think that was brought up a little
23 bit this morning with the retail exemption. You
24 know, inspection isn't being done there. However,
25 FSIS does have oversight over meat and poultry

1 products, regardless of where they're at in the
2 marketplace, including at retail.

3 So I think, Sarah, you bring up a good
4 point: we need to get out -- but the information
5 even that we are getting out, and it's not getting
6 there effectively, so we need to work on what the
7 information is and its effectiveness by getting at
8 its source. So I think maybe it would be wise to
9 maybe talk about what information do the retailers
10 really need to have, and then we can maybe talk
11 about some avenues to get it there.

12 DR. B. WILLIAMS: Casey, this is Byron
13 Williams, Mississippi State. I'd just like -- you
14 know, in dealing with a lot of small processors as
15 well as retailers that have retail-exempt markets --
16 and I think this is probably true across the board:
17 many stores, large and small, and retail outlets
18 purchase a lot of boxed beef with the intention of
19 those products being used for intact cuts only.

20 But let's face it: if the market does not
21 dictate that they use those for those purposes, and
22 the ground beef portion does, then guess where those
23 products are going to be utilized? And as they
24 should be to not go to waste and recoup some of the
25 value anyway, as well as the trim from those cuts

1 going into ground beef.

2 So I think, you know, the onus is focusing
3 there on some additional education, some additional
4 -- I won't say enforcement, but activities that
5 would preclude them to utilize that product or put
6 it to consumers in a means that, look, you need to
7 prepare this food safely and in protection due to
8 the potentials of STEC.

9 MS. GALLIMORE: That's a very good point.
10 Thank you.

11 MS. SORSCHER: So this is Sarah again. I'm
12 just thinking about what incentives retailers do
13 have given that they're not required -- they're not
14 inspected by FSIS, they don't have HACCP plans, and
15 so they don't -- they're not generally thinking
16 about the intended purpose or really understand that
17 meats -- the meat that's intended for intact use
18 isn't being tested in the same rigorous way.

19 So what are the incentives? I mean, one is
20 that they don't want to be tied to an outbreak,
21 right? And, if there's some clear communication
22 from the establishment that they should not be
23 grinding this meat, and then they do it, then that
24 does create some issues for them, legally, if
25 someone then gets hurt. So that's one lever that

1 you have. And then the question is, how do you make
2 sure that, that communication is very clear?

3 I do want us to talk about the label,
4 because I know that there was some comments from
5 FSIS this morning that the label doesn't currently
6 say, not for intact -- sorry, intended for intact
7 use; not for grinding, because, you know, they don't
8 want the labeling to be used as a control. But
9 that's effectively what's happening already, is
10 there's labeling on the website or in the invoice
11 that's not very clear that's being used as a
12 control, and it's not as if facilities or
13 establishments are foregoing a specific control
14 because they think they can put something on the
15 label.

16 So I would be in favor, if we're going to
17 go the communication route, of communicating in as
18 many ways and as clearly as possible to retailers
19 that this is the intended purpose of the meat,
20 including the statement on the label and potentially
21 other forms of communication. Particularly when
22 these conversations about supply chains and how meat
23 can be sold for one purpose and then used for
24 another, you know, there really does have to be some
25 message that follows with the product throughout the

1 supply chain and that can be easily seen and
2 understood, and the label is good for that.

3 MS. GALLIMORE: Thank you for that, Sarah.
4 This is Casey Gallimore again. A couple points to
5 bring up. I'm glad you bring up the labeling. So
6 this has been a fairly longstanding policy under
7 FSIS for these types of intended use statements on
8 labels, and I think you bring up very good points,
9 and maybe it is time to rethink that policy.

10 And I think you also bring up some good
11 points that, for all intents and purposes, we are
12 using some kind of, quote/unquote, "labeling." It's
13 just not on the package; it's on the invoice or the
14 website. So why not put it on the package where
15 we're sure that it's going to get to the person who
16 opens that package? And, for me, this has been a
17 hard concept for me to swallow, because we do use
18 intended use statements on other products for other
19 purposes.

20 So, if you think about retail-ready
21 products that we produce, they have cooking
22 instructions for the end consumer that uses the
23 product at home. That's an intended use label, and
24 we've found those are absolutely necessary to
25 prevent food safety issues. You know, we need to

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1 communicate directly to the consumer that products
2 are raw and require thorough cooking.

3 So I guess my question is, why would we not
4 want to use that direct communication with the
5 retailers as well? I mean, essentially, they are
6 the costumer, the consumer of that boxed beef
7 product. To me, the labeling aspect would get the
8 message there no matter how the product moved
9 through the supply chain.

10 So I a hundred percent agree with you,
11 Sarah. I think it's time to relook at that policy
12 and consider some other things that we've done that
13 have worked for getting information to where it
14 needs to go.

15 DR. HARRIS: Casey, this is Joe Harris at
16 SMA. I'd like to add to that point and first agree
17 with both you and Sarah, but I'd like to point out
18 an example -- a fairly recent example of a similar
19 type of labeling where we're now required to
20 identify products that have been mechanically
21 tenderized so that the receiver of that product
22 knows that it should be considered non-intact.

23 MS. GALLIMORE: Joe, that's a very good
24 point. To me, that seems quite similar to what we
25 would be asking for in this situation or advising to

1 consider in this situation. And I completely
2 understand. You know, I understand the impact or
3 the concern from the Agency. We don't want labeling
4 to be used as a control, as in, we don't want
5 establishments to say, well, I labeled that it's not
6 supposed to be used as non-intact, so I don't need
7 to do interventions, and I don't need to worry about
8 STEC.

9 And that's not, I don't think, what we're
10 asking for at this point. I think the industry is
11 in a very different place than it was, you know, 30
12 years ago. Everybody has controls for STEC, and
13 everybody is concerned and trying their best to
14 reduce STEC as much as possible and eliminate it
15 when possible. So I think, if you look at where
16 control can be implemented from FSIS, FSIS has
17 control over the establishment.

18 So, if the concern is that an establishment
19 is going to be lax and use labeling as their control
20 method and not implement appropriate interventions,
21 well, FSIS is there in that establishment and can
22 see that and can address that; they're not in all of
23 the retailers. So, to me, let's get the message
24 where it needs to be. And if there are players,
25 which I don't think there will be many in this day

1 and age, but if there are people who are trying to
2 use that as a crutch, then FSIS is already in the
3 best place to address that.

4 Any thoughts on that?

5 MS. SORSCHER: Well, and then, I mean, the
6 other question I have is, is there any way to -- for
7 establishments to do a better job of verifying that,
8 that actually is the intended use that, when they're
9 sending product out into the supply chain -- I mean,
10 if there's any crutch, I think it's the fact that,
11 you know, you're producing all this meat; the vast
12 majority is categorized, at the establishment level,
13 as intended for intact use.

14 But then, when you get to the retailer, we
15 see that, certainly, most of the meat that they're
16 grinding actually falls into that category. So
17 there's some disconnect there. And are there things
18 that can be done along the supply chain to actually
19 make sure that you're identifying, at the
20 establishment level, when something is really
21 destined for grinding and treating it as such?

22 DR. B. WILLIAMS: Casey, this is Byron
23 Williams, Mississippi State University Extension.
24 As a point of clarification I guess, and correct me
25 if I'm wrong, but retail establishments are still

1 bound to put a safe handling label on those raw
2 products such as that. My question is, should those
3 labels for ground product particularly be enhanced
4 to stipulate more to the end user of safety
5 parameters? We use labeling -- we say we're not
6 using labeling as control; we use labeling for
7 allergen control.

8 MS. SORSCHER: This is Sarah again. I
9 mean, I just don't think that labeling intended
10 towards the consumer really address the problem,
11 because this is an adulterant in the meat, so you
12 really want to keep it out of ground beef in the
13 first place. So just telling people to cook it
14 really doesn't solve that problem.

15 MS. GALLIMORE: Yeah. I think that's --
16 this is Casey again. I think that's a good point,
17 Sarah.

18 Byron, I think part of the problem also
19 comes with, you know, if we're talking about
20 controlling labeling at FSIS establishments, that's
21 a whole lot easier to control than controlling
22 labeling at retail establishments. Although, you're
23 correct. I mean, obviously, we would love if
24 consumers always cooked their ground beef to an
25 internal temperature of 160 degrees Fahrenheit and

1 handled it perfectly. But we understand that, that
2 doesn't happen, and that's why we're trying to
3 implement controls as best as possible.

4 But I think you're right in the fact
5 that -- and, Sarah, I liked some of the points you
6 were bringing up, that -- and I think, Byron, you
7 brought this up earlier. With the retailer, even if
8 the establishment is selling directly to the
9 retailer -- which doesn't happen super often, but
10 every once in a while it does.

11 If the establishment is selling directly to
12 a retail establishment, and that retail
13 establishment isn't intending to grind any of that
14 product, they're intending to make steaks, but the
15 steaks are getting a little close to, you know, the
16 best by date, there's a big holiday coming up where
17 everyone's going to want burgers, or they have some
18 leftover pieces when they cut those primals down
19 into steaks, that's when -- even if they didn't
20 intend to use the entire primal for ground, that's
21 when a lot of places end up using parts of primals
22 or bench trim for ground.

23 So I think, although there may be avenues
24 for establishments to improve understanding of where
25 their meat is going and how it's ending up, it's

1 really, really complicated. And even if the
2 retailer says, yeah, I'm intending to make steaks
3 with this, at the end of the day, that may not be
4 exactly what ends up happening. So I think, to me,
5 I think if we can communicate to the retailer, okay,
6 if you need to make ground beef from intact primals,
7 then you need to take into consideration the concern
8 there and get that information to the retailers.

9 It's probably not going to only work on a
10 label. I think a label's going to be -- it's going
11 to have to be a reminder as part of the bigger
12 campaign. I think we can learn from the listeria
13 project with retailers that we can educate
14 retailers, and it's working. I mean, FSIS has had
15 great results with educating retailers on listeria
16 and delicatessens on listeria control, and they have
17 -- I think last time I looked at it it was like 96
18 or 98 percent of the retailers that they polled were
19 using the controls put in place. So I think we
20 learned from that project that we can educate
21 retailers, and they will do things to improve food
22 safety if they know it.

23 MS. S. WILLIAMS: This is Sherri with JBS,
24 Sherri Williams. If the goal is to have a reminder,
25 a constant reminder if you will, right there in

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1 front of the retailer when they get every box in,
2 then ultimately, it would be best to have it
3 directly on that label, that box, however, so that
4 every time they see it, it's there -- or they see
5 that box, it's there. So that would assist with
6 that problem.

7 I think the other issue that everybody has
8 also acknowledged and brought up is that even though
9 this information does get provided, there seems to
10 be a gap between them either understanding it or
11 choosing to acknowledge it and do the right thing.
12 I don't know which it is, and I don't know if any of
13 us do, but there seems to be that gap there.

14 I will tell you that, if you -- as an
15 example, when you have recall effectiveness checks
16 with the Agency, they contact every customer that
17 you had presented to them that you send product to,
18 and they verify that they were told what was going
19 on and what they're supposed to do with it. And I
20 will tell you that not every recall effectiveness
21 check comes out perfect because that second level
22 after we notify the first level, that level either
23 chooses to honor it or they choose to do their own
24 thing.

25 So I'm not sure which it is and what's

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1 broken, nor how to fix that part, but I think
2 education is a big piece of that as well. I would
3 agree with both of those.

4 MS. SORSCHER: This is Sarah again. I have
5 a question for folks in industry who understand how
6 these supply chains work. If there were big -- if
7 it was clearer that certain boxed beef was labeled
8 in this way, would retailers be more likely to seek
9 out products that were labeled for grinding? I
10 mean, it seems like part of the problem is that
11 retailers will purchase a product thinking that
12 they're going to use it for intact uses, and then
13 they'll end up grinding it anyway.

14 And I'm not sure putting a label on the box
15 will actually address that issue unless, you know,
16 it addresses it by actually creating a bigger market
17 for boxed beef that can be used for both purposes,
18 that is good for both purposes, right, and then they
19 don't have to be so concerned about that question.
20 What are thoughts on whether that market could exist
21 if there was more clarity and more drive from
22 retailers to do things that way?

23 MS. GALLIMORE: Sarah, this is Casey
24 Gallimore. I think part of the problem is going to
25 come down to, to me, the label is going to serve as

1 -- would serve as part of a bigger communication and
2 education program that says, boxed beef primals,
3 generally speaking, are not intended for non-intact
4 use, and if you are going to use them as such, you
5 need to do something to control STEC when you're
6 doing that process. Because, as Sherri kind of
7 walked through earlier, the establishments have
8 multiple interventions. Now, obviously, not all
9 establishments are set up the exact same way, but
10 the vast majority of them have multiple
11 interventions on all boxed primals and sub-primals,
12 regardless of whether they're going to intact or
13 non-intact use.

14 But the problem is, we know that you can
15 look for E. coli on the carcass, and you may not
16 find it, and you can look for E. coli on primals and
17 sub-primals, and you may not find it. You're going
18 to find it, more likely, in trim and ground beef.
19 And so, if a slaughter establishment is going all
20 the way from carcass to ground beef inside their
21 walls, they're going to have interventions at every
22 single step. If a second -- if a processing
23 establishment is buying boxed beef and making ground
24 beef out of it, they're going to have some kind of
25 process or intervention in place to deal with STEC

1 from going from that intact use to the non-intact
2 use.

3 So, to me, the label doesn't serve as a,
4 here's boxed beef that can be used and here's boxed
5 beef that can't. I don't think there is going to be
6 a lot of boxed beef that can. There may be some
7 things coming down the line. I'm really excited
8 that, at the salmonella public meeting on Tuesday,
9 USDA is re-looking at radiation. Things like that
10 could be avenues for products like that in the
11 future. And correct me if I'm wrong, other folks on
12 the line, but I don't think there's a lot of
13 products out on the market that are boxed beef
14 products that would be good for that use. So it's
15 more of a, hey, reminder, that's not what this
16 product's intended for; if you're going to use it
17 for that, you need to do something about STEC.

18 MS. PERRY: Hi. This is Denise Perry from
19 Lorentz Meats. Casey, I absolutely agree with
20 everything that you've said thus far. So our
21 facility, we're very large in the small plant world
22 and we're very small in the big plant world, just to
23 give a perspective. And we do everything from
24 slaughtering beef and bison all the way through
25 receiving raw material for grind, and we do cooked

1 product, so we see a lot of different areas and from
2 different avenues.

3 And so one thing that you're just bringing
4 up right now is, you know, the question is, do we --
5 is the problem that we're trying to split an
6 invisible hair of where that primal or sub-primal is
7 going in its form. Because when we receive in
8 whole-muscle product, we automatically assume that
9 it's not intended for grind. And so we unpackage
10 and do a combo and we test and then we grind if
11 someone sends us primals for product.

12 And so I guess it goes back to that
13 question of, at what point does the next consumer of
14 that product need to be responsible and held
15 accountable for the same things we, within plants,
16 are being held accountable for? And rightly so.
17 But to be asking us to be held accountable for the
18 next person in the chain of command -- I'm sorry, in
19 the next supply chain, that's really bothersome to
20 me.

21 And I know, in the presentation earlier,
22 you know, how would you feel if you're the butcher?
23 How would you feel if you're the butcher and you
24 don't know this? Well, we are the butcher, and I
25 can tell you how I feel. I feel like I can't claim

1 ignorance because I am under -- because, you know,
2 number one, I am responsible for the food safety
3 that's going out of our plant. Number two, I have
4 to answer to regulations, and rightly so, because I
5 don't want to hurt anyone; we don't want to hurt
6 anyone.

7 And so at what point do these retailers
8 need to also be held accountable and care and have
9 concern? Because, as much as I would love to send
10 out sterile product, we cannot live in a sterile
11 world. And we mostly don't want to, because
12 microbes can be good. And so that communication
13 point and then accountability at the next phase of
14 supply chain is critical. The processors can't
15 continue to be held accountable for every single
16 level all the way to the consumer consuming. We do
17 what we can; we do our darnedest. But, at some
18 point, accountability has to be passed on to the
19 next level of the supply chain. And so I'm really
20 happy to hear that we're focusing in on this
21 communication point.

22 And, like you said, testing, what's that
23 going to do? Is that solving the problem? So are
24 we trying to solve the problem of proper use of
25 primals to account for the risk that we know -- we

1 have to assume is there, or are we trying to solve
2 the problem of identifying the presence of risk?
3 Because if we're trying to identify the presence of
4 risk, okay, then we're testing everything no matter
5 what the intended use is. Is it there or not?
6 Well, I'm sure it's there at some point in time, 0.5
7 percent of the time.

8 But then you have to consider, if you're
9 doing an N60+ test on these primals, they're no
10 longer in a state for intact use. You've just
11 ruined their specs. So what is the proper testing?
12 So if a retailer is going to bring in these primals
13 and decide to reroute them to grind and maybe their
14 extra trim -- which we love to not waste at Lorentz
15 Meats; we like the idea of not wasting bench trim at
16 the retail level -- then maybe that's where we
17 target the retail-level FSIS grind testing is, yeah,
18 use some primals.

19 So sorry to go on a bandwagon. I shut up
20 for a long time, and then I talk too much, so that's
21 what I'm --

22 MS. GALLIMORE: No, can you flesh that last
23 bit out a bit more actually? I mean, I like that
24 idea of actually going out and trying to assess the
25 risk that this practice is creating.

1 MS. PERRY: So, instead of trying to
2 determine if retailers are going to properly -- or
3 are going to read the message, oh, this isn't for
4 intact or this is for intact, just assume that, if
5 they bring in whole-muscle boxed beef, that it's not
6 for non-intact use, and if they choose to use it as
7 non-intact, that's when FSIS targets sampling, their
8 grind. Just like they do for us.

9 MS. GALLIMORE: Hmm. Can someone explain
10 FSIS's testing program at the retail level
11 currently?

12 MR. WITTE: So, right now, the MTO-5 --
13 which we chatted about; that's just the code we use
14 in our data system -- the MTO-5 is the finished
15 ground beef sample. So, if we think about the big
16 picture here, we have a smaller facility which
17 produces products, and we -- before the non-intact
18 process, so that may be tenderization or some other
19 non-intact process, not just grinding. But the
20 slaughter facility, if they have products they
21 produce and they're intended for non-intact use,
22 whether it's in their building or another building,
23 we'll sample those under two projects. That could
24 be the muscle -- the ones we typically associate
25 with muscle there, or the other raw ground beef

1 components, and so that's like your head meat and
2 cheek meat -- those products. And so that's what
3 happens there in terms of before the non-intact
4 process.

5 If that slaughter facility also grinds,
6 then we sample it -- it's also eligible again after
7 the grinder; not after tenderization, but after the
8 grinder if it's ground. So that's how it kind of
9 works if it's a self-supplier slaughter/grinder.

10 If those products intended for intact use
11 are sent to another federal establishment, we will
12 sample those products again before the non-intact
13 process, because they weren't captured at the
14 slaughter facility; they moved around that sampling
15 there. We capture them at the secondary
16 establishment, once before the non-intact process,
17 it becomes eligible, and then once more if it's made
18 into ground beef. So it follows that same pathway.

19 If those products enter commerce and go to
20 a retail outlet that's exempt from the daily
21 inspection requirements and HACCP, we simply sample
22 it at the finished ground beef level. There's no
23 sampling before the grinder, just the finished
24 ground product.

25 MS. EDELSTEIN: And I just --

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1 MR. WITTE: This is Robert Witte, sorry.

2 MS. EDELSTEIN: Yeah, this is Rachel
3 Edelstein. I just wanted to clarify, so -- and I
4 think, Bob, you said there are only about 500
5 samples for -- at retail?

6 MR. WITTE: Correct.

7 MS. EDELSTEIN: And we -- if there was no
8 grinding at retail, we won't sample it. You know,
9 if they don't regrind, we don't sample it. And I
10 think, if they maintain like really excellent -- I
11 think there's some other criteria for like, if
12 they're regrinding and they're maintaining like
13 really clean conditions, also, we don't sample it.
14 So I think it's only the product that, you know,
15 kind of what we're describing here, it hasn't been
16 ground before, and there's questions like that.
17 That's when it is subject to sampling at retail.
18 But it is limited with only 500 samples per year and
19 so many retailers.

20 MS. SORSCHER: So would a -- this is Sarah
21 Sorscher at CSPI, sorry. Would an appropriate
22 recommendation -- I mean, what does the group think
23 about potentially recommending that FSIS increase
24 the sampling at retail and focus specifically on
25 retailers that are purchasing boxed beef that hasn't

1 been ground or tested previously? And I --

2 DR. HARRIS: This is Joe Harris. And,
3 Sarah, I was about to bring that up as well. If
4 there are going to be more resources devoted to
5 testing, perhaps bench trim or additional testing at
6 retail. Again, 500 samples a year out of -- I don't
7 know how many retail establishments there are, but
8 it's a lot. That's sure not very much sampling at
9 retail.

10 MS. SORSCHER: Well, and it --

11 MS. GALLIMORE: This is Casey --

12 MS. SORSCHER: Oh, go ahead. Sorry.

13 MS. GALLIMORE: Go ahead. Go ahead, Sarah.

14 MS. SORSCHER: I was just going to say, it
15 might also create some additional incentive for
16 retailers to be more conscientious about the product
17 they're purchasing if they know that there's going
18 to be some enhanced scrutiny and testing done for
19 particularly high-risk practices.

20 MS. GALLIMORE: This is Casey Gallimore.
21 Just one thing to consider, and I'm not saying
22 whether I think this is a good idea or not, but
23 sampling doesn't get rid of E. coli; it'll just let
24 you know if it's there. And it'll only let you know
25 if it's there sometimes, because you cannot

1 guarantee that you're going to find the piece that
2 has the E. coli on it. Sampling is only ever going
3 to give you a snapshot of the bigger picture. So
4 sampling is very, very useful in many different
5 ways.

6 But, to Joe's point, 500 samples -- I want
7 to say that there was a slide this morning that said
8 there was like 98,000 retail establishments or
9 something like that. I'm not sure if that's the --
10 it was a lot, is the answer. So, even if FSIS
11 doubled their sampling, it's still such a small
12 percentage of the retailers, and I don't think that
13 just increasing it to a level that would be
14 meaningful, maybe, is the best utilization of FSIS
15 resources. Because, again, just sampling to know
16 whether or not they have it isn't going to prevent
17 it from being there the next day or the day before;
18 you're just going to know they had it once.

19 So what worked in the industry -- yes,
20 we've done tons and tons of sampling, and
21 establishments utilized sampling in different ways,
22 but the sampling is not what reduced STEC in product
23 and it's not what brought down outbreaks and had
24 meaningful public health impact. It is the
25 interventions and the things that establishments

1 have put in place.

2 So, to me, what would be more useful,
3 honestly, than a sample would be to do some kind of
4 survey, similar to what we've done with grinding
5 logs, to say, do you grind? If you do, what do --
6 how do you control for STEC? What controls are in
7 place? And then give them the resources, like we
8 did for the LM project, to say, here are things you
9 can do to ensure and reduce the likelihood that
10 you'll have LM. Okay, do that same thing for STEC.
11 If you're grinding at a retail establishment, here
12 are some controls that you can put in place that
13 might help.

14 And then, if they're refusing to put any
15 controls in place, then there's where you target.
16 But, to me, we need to crawl before we walk. If
17 they're not doing anything, there's no point in
18 testing; I can tell you it's probably there at some
19 point in time.

20 MS. PERRY: You bring up a good -- sorry,
21 this is Denise again. Casey, I appreciate that
22 point, because that's really important. Because,
23 ultimately, if there's a positive, it's coming back
24 to our plant, and if they don't have controls, then
25 they might mix five different establishments into a

1 grind, and now what? What does that mean for
2 recall? So I agree: crawl before you walk, and get
3 some controls in place at the retail level. Yeah.

4 DR. B. WILLIAMS: Byron Williams,
5 Mississippi State Extension. I'd like to reiterate
6 to Casey and Denise as well: perform a survey; find
7 out what's going on; offer them some things like we
8 have done in industry with acid wrenches, steam
9 wash, and so forth, but on a scale where it would
10 not be inhibitive for them to use that on their trim
11 that they may take from the primals. Or, if they
12 buy other trim, if they want to go that extra mile,
13 then we have procedures in place for that.

14 But let's don't forget, you got to carry it
15 all the way to the endpoint for thermalization. And
16 I agree: we don't want it there, but the end result
17 is coming down to the consumer. They have to do
18 their part too. And I'm not trying to put it all on
19 them, but without those multi-hurdles and follow
20 through all the way to the end, we do not have
21 sterile products, without complete thermalization
22 and so forth. But we don't have fresh products
23 anymore when we do that.

24 So I think a multi-hurdle approach, but
25 maybe offer them some means to treat those trim

1 products, prior to grinding, that would tend to
2 reduce the likelihood of having STECs in their
3 ground beef.

4 MS. CONKLIN: This is Tina Conklin with
5 Michigan State. I just want to jump on the
6 bandwagon and agree with everybody else as well. I
7 think that providing these retailers information for
8 best practices for antimicrobial interventions would
9 be most helpful. I mean, FSIS knows where the
10 greatest positives are, or they wouldn't be testing
11 trimmings, right? And I don't know anybody that
12 cuts primals and sub-primals and doesn't create
13 bench trim off of them. Every retailer out there
14 does. And if they want to keep their costs down on
15 ground beef, they're going to use that trim in
16 grinding.

17 So I think that we would be better to
18 provide them with information on best practices that
19 the larger plants do. Our small plants do it. Our
20 small establishments that buy boxed beef spray -- do
21 an antimicrobial spray on all their trimmings before
22 grinding, and FSIS does not take those samples until
23 after that intervention is done; is that correct?

24 MS. EDELSTEIN: Yeah, I think that's right.
25 Right, Bob? You're talking about like for bench

1 trim sampling?

2 MS. CONKLIN: Right.

3 MS. EDELSTEIN: Yeah. Yep.

4 MS. CONKLIN: So FSIS won't take that
5 sample until after -- if I'm using ASC, for example,
6 on my bench trim, FSIS, if they're going to pull a
7 sample before grinding, they don't take that sample
8 until after I've sprayed my ASC, for example. And
9 then I'm allowed to do my intervention step on that
10 bench trim. So, I mean, we know in practice it
11 works.

12 If I'm federally inspected and small, I
13 probably have that in there as a CCP in my plan. If
14 I'm dual inspected -- in Michigan, we have a lot of
15 dual inspected plants, so most of those facilities
16 always spray their trimmings, whether it's going
17 under federally inspected or state inspected. And
18 so where we lose it is when we go completely state
19 inspected or retail level.

20 MS. GALLIMORE: So it sounds like there
21 seems to be consensus, but I welcome to here some
22 voices maybe we haven't heard yet. It seems like
23 we're kind of narrowing down at least one of our
24 recommendations to be for FSIS to have some kind of
25 educational campaign, similar to what they've done

1 with LM, for the retailers that are grinding.

2 And then it sounds like some of the things,
3 some of the resources we can provide -- and I can't
4 officially speak for the Meat Institute, but I'm
5 sure that we could probably get to this place. You
6 know, we have resources available publically that we
7 could probably appoint for intervention studies and
8 things like that to make available. And I know
9 there are other resources that we could probably
10 provide to help create these educational materials
11 so that grinders understand the risk of taking
12 intact product and making it non-intact. But also,
13 you know, we're not just giving them a problem;
14 let's help give them a solution.

15 I think some of the guidance documents that
16 FSIS already has in place could be utilized maybe so
17 that we're not necessarily starting from scratch.
18 Some of the things that have been designed for these
19 smaller establishments could probably be utilized.
20 So it sounds like that is one of the recommendations
21 that we are kind of leaning towards. Is there
22 anyone who --

23 MS. SORSCHER: This is -- sorry, I know
24 I've spoken before, but I just want to make a point
25 on that recommendation. Two points, really. One is

1 that I just regret that there's not somebody -- I
2 haven't heard a voice that really represents the
3 experience of retailers in this conversation, and I
4 just -- I hesitate to lay all the burden on
5 educating retailers when we haven't really heard
6 from them on what steps might be practicable. So
7 that's just one caveat; I'm not sure how to change
8 that.

9 And then the other is, as we talk about
10 having an education campaign, I think we should
11 encourage FSIS to consider product labeling as part
12 of that education campaign. How can we use that
13 label and use communications from the establishments
14 to help reinforce that messaging around what steps
15 really ought to be taken with these products?

16 MS. EDELSTEIN: Was that Sarah?

17 MS. SORSCHER: Yeah, this is Sarah from
18 CSPI. Yeah.

19 MS. GALLIMORE: Sarah, thank you -- this is
20 Casey Gallimore again -- for those points. On your
21 first point, I was thinking the same thing earlier
22 that I wish we had better representation from
23 retailers. That being said, the Meat Institute does
24 have allied members that are retailers, so I can do
25 my best to try and poll some folks this evening

1 before we meet back tomorrow. And then I think
2 there are other resources that we could go to,
3 following up from this meeting, to just kind of
4 verify that that's a viable recommendation, folks
5 like the Food Marketing Institute and others that
6 represent retailers, because I think you're right; I
7 think we need to make sure that we check that box.

8 On your second point, I think that we
9 should include that. Personally, I think we should
10 include that, and I welcome any thoughts on -- so I
11 guess it would be, first recommendation would be
12 some kind of educational material or program or
13 initiative. We can maybe flesh out some ideas on
14 that. And then recommendation kind of 1.2 or 1.1
15 would be the consideration of labeling as a part of
16 that educational material. So it's kind of that
17 visual trigger when a retailer receives the product,
18 hey, what does this mean? Maybe it even has some
19 kind of link to a website or something that could
20 trigger that a question needs to be asked and more
21 information needs to be -- because I -- we're not
22 going to be able to have a label that fully explains
23 the complicated web, but it could be a trigger.

24 So any comments from folks on mainly -- I
25 mean, I'd love to hear that people are agreeing with

1 what I've regurgitated to make sure that I've got
2 what folks are thinking, but especially if you think
3 there is anything wrong with that recommendation or
4 that's not a good recommendation to move forward
5 with.

6 MS. S. WILLIAMS: This is Sherri Williams
7 with JBS. I would also add to it, what if we also
8 recommend the survey that was mentioned earlier in
9 asking the retailers what they currently have in
10 place? What do they do? Do they do anything? And
11 see where that's at so maybe we can identify the gap
12 of the educational piece a little quicker and hone
13 in on that.

14 I guess my question is, I thought I heard
15 earlier this morning them talk about on the listeria
16 in the delicatessens that they had done some
17 surveys, but I might've heard wrong. So I'm not
18 sure about that, but if that's the case, that might
19 be a possibility.

20 MS. GALLIMORE: Yeah, Sherri, that's a
21 great point. FSIS did that with LM, and I think
22 that's partly why it was so effective, because we
23 could see that -- you know, before, at the beginning
24 of their educational campaign, they took a poll on
25 how many controls people were using. And I don't

1 remember what the original survey results were, but
2 you could see, over time, that had improved. So I'm
3 glad you brought that up. I think that makes sense
4 to include that as part of this recommendation.

5 MS. EDELSTEIN: Casey, this is Rachel. I
6 just want to clarify, we actually had the compliance
7 investigators, OIEA, collected the information at
8 retail. So we didn't do -- you know what I mean?
9 We didn't send the survey to retailers.

10 MS. GALLIMORE: Yeah. Rachel, would you
11 think -- I guess, I mean, was that avenue fairly
12 successful? Is that something that would make sense
13 to do again but for this reason?

14 MS. EDELSTEIN: I think you should
15 recommend whatever you think is appropriate, and we
16 can always -- it's hard for me to speak for OIEA.
17 They're the ones who did it. I mean, I think it's a
18 possibility, but it could always be refined for --
19 you know, we could change it slightly. I'm just
20 trying to give you the background information. Does
21 that make sense?

22 U/M: Yeah, and Rachel, to that point, we
23 did collect information as part of the sample
24 collection, so the investigators did enter that
25 intended use information of what the source

1 materials were, whether they were aware of the
2 intended use, and then did they implement any
3 additional controls. And so that's information they
4 got on a sample by sample basis, so if there's more
5 information, we'll just clarify what more is needed
6 or how to ask that.

7 MS. SORSCHER: This is Sarah from CSPI. In
8 addition to surveying retailers around their
9 existing control practices, I think it would be
10 helpful if FSIS could do some form of sampling that
11 really is used to assess the risks associated with
12 this practice. So maybe not using it as an ongoing
13 surveillance measure but to do research where you're
14 going out and taking samples of products that have
15 been ground in this way just to see what the
16 relative risks are of this practice. Because I
17 think that would help drive home some of the
18 educational points if you're trying to get the
19 practice to change, to show that it is associated
20 with some risk.

21 (Pause.)

22 MS. SORSCHER: Do people think that's
23 realistic? I mean, I know there was some poo-pooing
24 of this idea of testing retail samples, but I do
25 think it's going to be hard to educate retailers if

1 you don't also find some way to illustrate that the
2 controls are going to be important.

3 MS. GALLIMORE: I think -- this is Casey
4 Gallimore again. I just -- sampling resources are
5 scarce, and there's a lot of things going on at the
6 Agency right now to utilize their resources
7 effectively. To me, I think we already have good
8 evidence to show that these controls are needed. I
9 mean, the presentation started out with the
10 outbreaks that can be linked back to this exact
11 problem. So I think utilizing those may get the
12 point across without using resources to do some kind
13 of baseline. That's my two cents.

14 DR. B. WILLIAMS: I agree with you Casey.
15 Byron Williams. You know, data has proven, not only
16 from that standpoint, but data using the other
17 intervention methods is also quite readily available
18 on the effectiveness and the efficacies of using
19 such antimicrobials or other intervention steps.
20 That could be incorporated and could be narrowed
21 down and pooled in a very short, concise statement
22 or blurb point to be given and conveyed to the
23 retailers. If you go in with a four- or five-page
24 document, that's not going to be effective. I
25 promise you. It's got to be short and sweet.

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1 MS. GALLIMORE: So we've already kind of
2 started down the path of -- so we want to recommend
3 an educational program that may consider product
4 labeling on the boxed beef that's getting shipped
5 out to retail establishments as well as a survey so
6 that we can kind of gauge the effectiveness of this
7 educational program to see -- know that controls are
8 being put into place.

9 And then maybe, again, I think that part of
10 the recommendation would be that FSIS could utilize
11 that survey information to target enforcement, which
12 is what they typically do anyway. They use
13 information like that to make sure that they're best
14 utilizing their resources. So I think that would be
15 part of that recommendation.

16 On the -- and I think it was you, Byron,
17 that's already kind of going down the path of, how
18 do we educate them? Because I think it would be
19 best if we can flesh out as much as possible. And
20 some of this just be FSIS our recommendation may be
21 that FSIS needs to talk to retailers, to talk about
22 what the best methods to get this information out
23 would be. But, again, I think I link it back to the
24 success that we seemed to have with the LM project,
25 so my recommendation to throw out to the group would

1 be to use that as kind of a baseline format, because
2 it seemed to work. And I know FSIS talked this
3 morning about some information they've gotten since
4 that project on how they could've improved that, so
5 obviously they could utilize those learnings.

6 Any other thoughts on how to get the
7 information out to folks, whether that be
8 through -- you know, if we recommend the product be
9 labeled, what do we want the product to be labeled
10 with? What kind of materials should we make
11 available? And how do we get it to folks?

12 DR. B. WILLIAMS: I agree with you, Casey,
13 about using the deli LM program as a model. I think
14 it has been effective, and I would say there's no
15 need to reinvent the wheel. If it worked, then
16 let's try it for STEC.

17 (Pause.)

18 MS. S. WILLIAMS: Sherri Williams, JBS --

19 MS. GALLIMORE: Jonathan, could you -- go
20 ahead, Sherri.

21 MS. S. WILLIAMS: Oh, Casey, I was just
22 going to say, I think with regards to the labeling
23 and your questions of how it's going to be done, I
24 think we really need to know what is it we really
25 want to notify them of, right? Is it exactly how to

1 use the product? Is it, hey, you need to consider
2 these issues if you're going to do X with the
3 product? I mean, what is it that we want to call
4 out in that sense? So those are different ways to
5 go.

6 But the actual -- this labeling on every
7 individual box is what our recommendation is. What
8 it says and how it gets there, is that something we
9 need to figure out today, or is our recommendation
10 that it needs to be considered?

11 MS. SORSCHER: This is Sarah from CSPI. I
12 just -- I don't think we can figure that out today,
13 in part because we don't have enough perspective
14 from retailers in the room. But I think we can't
15 expect that we're going to label and then,
16 overnight, retailers are going to change their
17 practices for 80 percent of their products, because
18 this is a very common practice currently.

19 So I think the question is, to what extent
20 can we expect them to reduce the amount of this
21 product that they grind, and to what extent are we
22 going to expect them to implement controls that are
23 appropriate to make sure that they're controlling
24 the risks associated with this product. And I think
25 that's a question that we just can't resolve without

1 some more research.

2 MS. GALLIMORE: Thank you. I think you
3 guys both bring up a good point, and I know FSIS is
4 currently doing a lot of labeling research, although
5 it's consumer labeling. But there may be learnings
6 from that, that we get, so even -- again, even
7 though those are consumer driven research projects
8 right now, there may be learnings from that.

9 But I think kind of what you guys are
10 pointing to is that maybe part of the recommendation
11 on this would be to get some information from
12 retailers on what labeling would be effective. I
13 think we could also probably try and talk with some
14 folks in industry to see what labeling is
15 achievable, because I know there's only so many
16 things we can put on a label. So maybe have FSIS
17 gather information on both what the retailers think
18 would be effective as a trigger and also from
19 industry on what is achievable.

20 (Pause.)

21 MS. GALLIMORE: Jonathan, would you mind
22 scrolling up to the top where we have kind of like
23 the overview of the questions from -- yeah. Just
24 trying to circle back and see if we have anything
25 that we haven't checked off yet.

1 MS. EDELSTEIN: You might have to scroll
2 down. I mean, he's got the first question at the
3 beginning, yeah, and then --

4 (Pause.)

5 MS. GALLIMORE: Okay. So I think we have
6 already kind of been addressing two, on how the
7 current system could be strengthened, and then I
8 think we've already answered the initial question of
9 yes, we think FSIS should continue to not sample
10 these products. Is there anyone that's not on that
11 same page? Because I guess really we had a yes or
12 no question; we could've just stopped after we
13 determined whether it was yes or no. But it seems
14 like we all are on the same page that sampling boxed
15 beef primals and sub-primals is not something that
16 FSIS should start doing. This question was kind of
17 worded backwards in my head, but --

18 (Pause.)

19 MS. GALLIMORE: Okay. So I'm taking
20 silence as agreement, so if that's not correct, you
21 have to interject. I'll make that clear.

22 So I think there may be some more room to
23 come up with some additional thoughts on how the
24 current system can be strengthened. So, even if --
25 we have the recommendation of educating retailers,

1 maybe considering a labeling element and the survey.
2 But the information that is currently being
3 provided, is there anything that can be done to
4 improve that information that might be able to
5 happen sooner than our recommendation for improving
6 education?

7 One thing I bring up is the website example
8 from this morning. A lot of packer/processors are
9 using some kind of information on their website that
10 says their product is not intended for non-intact
11 use. One idea that I'm just kind of pooling around
12 in my head is that maybe there could be a
13 centralized information on the FSIS website that's
14 geared towards retailers, kind of outlining what
15 that really means and some resources for them. And
16 then the companies wouldn't have to include all of
17 that on their site; they could just say, for more
18 information, go to -- and link over to FSIS's
19 information.

20 Any thoughts on whether that is a terrible
21 idea, a good idea, or an idea that needs tweaking?

22 MS. PERRY: I like -- this is Denise. I
23 like that idea, Casey. Having a nice solid link to
24 define would help.

25 DR. B. WILLIAMS: I agree -- this is Byron.

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1 I agree with you, Casey, that that would be
2 beneficial. And, as many of the stores of various
3 things go to more of the online ordering, it may be
4 something that could be linked even there for the
5 benefit of consumers that could go to one or the
6 other websites, either the corporate -- the Krogers
7 of the world, the Albertsons, whomever -- as well as
8 the USDA, for more information on STEC control, on
9 safety of your ground meats, and so forth, to link
10 it there as more and more are utilizing that avenue.

11 MS. S. WILLIAMS: This is Sherri Williams
12 with JBS. Yeah, I would agree with what Byron,
13 Denise, and Casey have mentioned.

14 DR. HARRIS: This is Joe Harris at SMA, and
15 I agree with that. In my mind, I'm trying to find
16 out or trying to come up with a mechanism to get
17 retail establishments to sort of acknowledge that
18 they understand that certain products that they're
19 purchasing are not intended for non-intact. I don't
20 know if there's a feasible way to do that.

21 MS. GALLIMORE: I think -- this is Casey
22 Gallimore again. Joe, I think that survey could be
23 part of that, because I think that's what happened
24 with part of the LM surveys. The investigation
25 officers that conducted that information gathering,

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1 they asked them -- I think, if I remember correctly,
2 part of it was, do you know what controls are for
3 listeria, and are you doing them? So I think that
4 could definitely be part of it to say, you know, do
5 you understand what these products are intended for
6 and what -- yeah, I think that should definitely be
7 part of the survey.

8 DR. HARRIS: Yeah. That's probably a good
9 mechanism to get that to happen. I agree.

10 MS. GALLIMORE: And step one of the survey
11 could be, do you understand the risk of these
12 products? Do you know that there are resources
13 available? And that could be another avenue to make
14 sure that retailers know there are resources and
15 point them to this imaginary website that doesn't
16 exist yet, I don't think.

17 MS. S. WILLIAMS: This is Sherri with JBS.
18 I think the question there should be do they have a
19 HACCP plan, too, for their products.

20 MS. GALLIMORE: That's a great question.

21 MS. S. WILLIAMS: Because even if they
22 aren't mandated to have one, they can still have
23 one, right?

24 U/M: Absolutely.

25 MS. GALLIMORE: Absolutely. And I think,

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1 Sherri -- this is Casey again. I think many do. I
2 mean, maybe not many, but I think there are
3 retailers out there that, even though they are under
4 the retail exemption, I think they do have HACCP
5 plans.

6 MS. CONKLIN: This is Tina, Michigan State.
7 We see HACCP plans out there, but they're not what
8 federally inspected establishments know as HACCP
9 plans. They're more of a very canned SOP, so maybe
10 we need to define that a little bit more.

11 MS. GALLIMORE: That's a good point, Tina.
12 This is Casey again. Maybe that could be similar to
13 what Joe --

14 MS. CONKLIN: An FDA, and FDA HACCP plan,
15 yeah, is not the same thing. Sorry, I didn't mean
16 to interrupt you.

17 MS. GALLIMORE: No, no. You're fine.
18 Maybe that's similar to Joe's point, and the
19 question is, do you have a HACCP plan? And then
20 that's followed with, here are some resources -- if
21 you do, is it robust? And point to some resources.
22 And I think there are multiple resources that we
23 could point to there. I mean, a HACCP plan is one
24 option. The FSMA on FDA side, their new
25 preventative control is very similar to HACCP, so

1 that could be another resource. They wouldn't
2 technically have to use HACCP, even though,
3 obviously, that's my favorite, because I work in
4 meat and poultry.

5 MR. JENKINS: This is Jim Jenkins. They
6 are regulated, typically, by the Department of
7 Health, and we've already said they don't fall under
8 FSIS regulation. So their HACCP plans, if they have
9 them, would typically follow more along the lines of
10 the FDA HACCP plan. And I know here in our state,
11 the only time they're required to have a HACCP plan
12 is if they're vacuum packing, cooked sausages and
13 that type of stuff.

14 MS. GALLIMORE: Thank you. That's useful
15 information.

16 So this was brought up on the call -- or I
17 think it was just in the comments this morning; I
18 don't know if it got spoken out loud -- from, I
19 think it was Greg Gunthorp, who is on the other
20 subcommittee. But he kind of brought up where
21 USDA's jurisdiction lies -- and I know there was
22 some clarification this morning -- but USDA, and
23 FSIS specifically, has jurisdiction over meat and
24 poultry products, even when they're in commerce, but
25 they don't have inspection at retail establishments,

1 because retail establishments fall under the retail
2 exemption. I guess my question is, is that
3 something that FSIS should reconsider?

4 MR. WITTE: So this is Bob. So the
5 adulteration and misbranding provisions of the Act
6 still apply. It's they're exempted from the daily
7 inspection requirements and then the criteria that
8 goes along with daily inspection. So are you saying
9 reconsider the Act? Or just records?

10 MS. GALLIMORE: So, Rachel, you might be
11 able to provide a little bit of -- a little better
12 background then I will on exactly how a retail
13 establishment falls under the retail exemption.

14 And I guess my question is whether or not
15 that would be a recommendation is that maybe FSIS
16 should reconsider the -- what levels would fall
17 under retail exemption. I'm not saying that all
18 retailers would fall under FSIS jurisdiction for
19 inspection. And maybe it's not even 100 percent
20 inspection. Maybe there's just something that could
21 be looked at under the retail exemption.

22 But, Rachel, I don't know if you're able to
23 provide a little bit of background on what exactly
24 the retail exemption entails.

25 MS. EDELSTEIN: Yeah. Well, hold on a

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1 second. I'm trying to figure out how to answer this
2 best.

3 MS. GALLIMORE: I know it is kind of
4 complicated.

5 MS. EDELSTEIN: Well, I mean, I just think
6 -- and I think I have to go back, and I can confirm
7 this, but I think it's a statutory issue who has to
8 be under inspection. We have some regs that define
9 activities that are exempt from inspection, and of
10 course, that includes all, you know, as activities
11 done under retail.

12 And so my short answer to the question,
13 Casey, is I think this is way bigger than an NACMPI
14 recommendation. You know? I mean, I think we'd
15 have to go -- I think it would have to come -- a big
16 change like that is probably going to have to come
17 from Congress.

18 U/M: You are correct. You are correct,
19 Rachel, in that. And it has been tried back years
20 ago, and it did not go very well.

21 MR. JENKINS: Yeah. Let's take -- you look
22 at that, and it's hard to staff to regulate 98,000
23 retail spots.

24 MS. S. WILLIAMS: Hi. This is Sherri at
25 JBS. Along these lines, understandably, that seems

1 to be a very daunting task that is laid out. So my
2 questions are -- and maybe this is for Rachel first.
3 Rachel, didn't we have a Healthy People goal for
4 2020 for E. coli?

5 MS. EDELSTEIN: Yeah. For STEC? I mean,
6 yeah, I think it's probably included. I don't know.
7 We've been really focused on the salmonella Healthy
8 People goals because of the performance standard.

9 MS. S. WILLIAMS: Correct. Did we meet the
10 E. coli one?

11 MS. EDELSTEIN: I can't remember. I can
12 check.

13 MS. S. WILLIAMS: Okay. I cannot either.
14 I thought you might have that -- better access to it
15 than I would at the moment.

16 But, along those same lines, obviously, the
17 things that both the industry and the Agency have
18 been doing have affected that. If we haven't met
19 it, I would say that we dramatically moved the peg
20 on that in a good way, and so the things that the
21 Agency has been doing has been good. So trying to
22 impart that onto or into the retail sector where, by
23 statute, you have no regulatory authority for
24 telling them what to do on day-to-day activities,
25 but we do know that those day-to-day activities are

1 very important.

2 So I go back to the grinding logs that you
3 put out. And, in essence, as for recordkeeping
4 purposes this is what you will have, is there a way
5 to look at possibly saying, for recordkeeping
6 purposes, you need to have a HACCP plan that
7 addresses if you're going to take products and do X
8 with them? Or a HACCP plan for how your operation
9 is going to make ground beef? Or -- I don't know,
10 something like that. Are any of those feasible or
11 something that we could maybe think about and have a
12 discussion on?

13 MS. EDELSTEIN: It would be -- for us to
14 require HACCP at retail, it would be huge. I mean,
15 I think that the cost burden for retail would be
16 huge. I think it would be very, very difficult to
17 propose a rule like that.

18 MS. S. WILLIAMS: How -- this is Sherri
19 again. What if we just take the segment that we're
20 worried about and talk about intended use? Like do
21 they know -- because grinding logs, that was, like
22 you said, pretty succinct and very direct in what
23 you were wanting and asking for. What if the
24 concept was, instead of total HACCP plans, the
25 intended use and parameters around that, or the

1 questions we keep coming back to on intended use for
2 them?

3 MS. EDELSTEIN: I mean --

4 MS. S. WILLIAMS: And I don't know --

5 (Simultaneous speaking.)

6 MS. EDELSTEIN: -- something like retailers
7 would have to take the intended use into account; is
8 that what you're saying? Is that what you're
9 suggesting?

10 MS. S. WILLIAMS: Yeah. You summed it up
11 way better than I did, yes.

12 MS. EDELSTEIN: I mean, again, I think that
13 it's certainly something that -- I mean, I can't
14 tell you what to recommend. I mean, I sort of did
15 on the legislative, but it's certainly something
16 that you could recommend. I don't know -- I mean,
17 retail regulations are much, much harder to move
18 forward than guidance, but it's certainly something
19 -- if you recommend it, it's certainly something we
20 could assess. I think, again, that it would be --
21 it might wind up being too expensive. We might end
22 up not being able to move it forward as a
23 requirement. Does that answer your question?

24 MS. S. WILLIAMS: Yeah, I understand. And
25 I guess I didn't mean for you to have an exact

1 answer for that last part. I'm kind of throwing out
2 there to the collective group as a whole --

3 MS. EDELSTEIN: Oh, okay. Sorry.

4 MS. S. WILLIAMS: -- for something to chew
5 on and think about. So I don't mean for you to
6 think I put you on the spot on that one. I did not.
7 I understand you're doing what you need to do. So
8 it's good to hear your point of view and all of
9 those items that go with it, because I would not
10 have thought about some of those things, so I do
11 appreciate that. But, for the rest of the group, I
12 don't know. I was just kind of talking out loud on
13 that one.

14 DR. B. WILLIAMS: This is Byron. What if,
15 since most of those establishments have some -- or
16 the Health Departments have some jurisdiction in
17 many of those, if not most establishments of retail
18 like that. What if we extended that educational
19 piece more to them to try to educate them to help
20 the retailers who look for those kind of things? In
21 other words, not just direct at retailers with our
22 added information, but also to seek the Health
23 Departments and the Departments of Ag and Commerce
24 as well.

25 MS. PERRY: This is Denise. I would

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1 absolutely agree with that, Byron. It would be good
2 for the ones that are holding them accountable to
3 know what we want to hold them accountable for, so I
4 think that's a great idea.

5 MS. GALLIMORE: That is a great idea. I
6 think we should definitely include that under our
7 education. Either the same or maybe altered
8 resources are provided to state and local public
9 health entities.

10 I included something in the chat just
11 because it probably will be way more helpful to have
12 it written than just me talking, and I'm wondering
13 if this is kind of what we're -- this like little
14 caveat out of the retail exemption, this is taken
15 from the Federal Meat Inspection Act. Basically,
16 there's a caveat in there that, if the Secretary
17 deems it's necessary to inspect retail
18 establishments or the the other things that fall
19 under the retail exemption, because meat or meat
20 fruit products are being rendered adulterated
21 because of their processing procedures, then he has
22 -- he; currently, he's a he -- but the Secretary has
23 that authority under this Act. So I think there is
24 the authority that's there.

25 I'm saying, I think this is typically

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1 interpreted as something that is because of a
2 specific issue that's going on, but I mean, that's
3 exactly kind of what we're dealing with here are
4 outbreaks that are occurring because these practices
5 are not being put in place. So I argue slightly
6 that I do think that this is something that might --
7 is not completely off the table and doesn't
8 necessarily require a legislative change. But I'm
9 not a lawyer; I should've prefaced that.

10 MS. EDELSTEIN: It would certainly be a
11 whole new interpretation.

12 MR. JENKINS: So this is Jim Jenkins.
13 Going back to Dr. Williams' comment about working
14 with those who regulate the retail, I know our
15 compliance officers or investigators, when they find
16 a situation in a retail market, they contact the
17 Health Department through its -- the ones who
18 regulate that market. They will detain product,
19 contact the Health Department, get them on site to
20 take action to address the discrepancy. And so I
21 think that getting the Health Department involved
22 with educating -- or whoever's in charge of
23 regulating retail in a certain state, getting them
24 involved in educating retailers is a good idea.

25 MS. GALLIMORE: And, FSIS, correct me if

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1 I'm wrong -- this is Casey again -- but I believe
2 you all already have a fairly good system to get
3 information out to state and local public health
4 authorities. I think that path has already been
5 laid open for other reasons.

6 MS. EDELSTEIN: We do have organizations
7 that we work with on that.

8 MS. GALLIMORE: I think that's a good one
9 to bring up, too, because I feel -- I think part of
10 -- that may be able to happen sooner than some of
11 the other recommendations that we're making. I
12 think both this discussion and some kind of website
13 linkage might be able to happen a little bit quicker
14 than, you know, educating all of the retailers in
15 the United States.

16 (Pause.)

17 MS. GALLIMORE: So any -- I'm trying to
18 think of the next avenue. I think we've kind of
19 gotten through the specific questions that we've
20 been given. I think the website part probably falls
21 under the current system. I think down a little bit
22 further, when we started talking about educating
23 state and local public health authorities, that
24 probably falls under something new and not just
25 increasing the robustness of the current system.

1 I guess part of the current system that we
2 talked about a little bit earlier that I think Sarah
3 brought up is that part of the current system is
4 getting communication from the packer/processor down
5 to the retailer. And, currently, that's done -- we
6 talked about it's done on the website, and it's
7 typically done on invoices or paperwork that goes
8 with the load, even though it's not on the packaged
9 -- or on the cases themselves. Are there any ideas
10 on, you know, is there better opportunities there to
11 provide additional information or to better get that
12 information to retailers?

13 (Pause.)

14 MS. GALLIMORE: Also, I'm trying to
15 multitask here, and I asked the earlier question on
16 whether or not we met the Healthy People goal for
17 2020 on E. coli, and my meat scientist is telling me
18 that we made the meat goal, but as a nation, we did
19 not meet the overall E. coli for all food goal.
20 Just for everyone's --

21 (Pause.)

22 MS. GALLIMORE: So maybe there's a
23 recommendation hidden in this question on how to
24 make the current system more robust. Maybe that's
25 part of our recommendation is reaching out to

1 retailers and -- retailers or maybe even retail
2 trade associations, and trying to figure out if
3 there are better avenues to get information on this
4 specific issue out to retailers that grind.

5 I'm just thinking if it was -- if I
6 represented solely retailers, and that was my niche
7 -- and I can certainly look internally and see if
8 there's things we can improve on from our messaging
9 here at the Meat Institute, but maybe that's a
10 roundtable discussion or something that FSIS could
11 host with trade organizations that represent
12 retailers on how do we make sure that this issue is
13 getting the attention it deserves.

14 Any thoughts on -- I'm trying to come up
15 with a recommendation our of there, so I appreciate
16 any input.

17 DR. B. WILLIAMS: Casey, this is Byron
18 again. How about Grocery Manufacturers Association?
19 That would represent at least some from that avenue,
20 and then to at least solicit their input or ideas on
21 how to reach them better or what would be most
22 meaningful.

23 MS. GALLIMORE: Yes, Byron, I think that's
24 a -- I think they have a new name now, but yes.

25 DR. B. WILLIAMS: Yes, they do, but I can't

1 think of it. I'm sorry.

2 (Laughter.)

3 MS. GALLIMORE: I think it's CBA. I think
4 it's Consumer Brands of America or something like
5 that, if I remember correctly.

6 DR. B. WILLIAMS: Probably so. I'm dating
7 myself, Casey, so --

8 MS. GALLIMORE: I mean, it wasn't that long
9 ago, Byron. It was only like a year ago, so you're
10 not that old.

11 (Laughter.)

12 MS. GALLIMORE: Yeah, so I think that's a
13 good one. FMI would be a good one, the Food
14 Marketing Institute. I know there are others that
15 I'm just not thinking of off the top of my head, but
16 maybe -- I think the Agency has really good
17 roundtables going on, so maybe that's the
18 recommendation, that FSIS do a roundtable maybe with
19 industry and retail.

20 Yes, definitely the Consumer Brands
21 Association, especially because she understands the
22 meat and poultry industry so well. Good point
23 there, Denise.

24 But yeah, maybe we recommend some kind of
25 roundtable for ideas on how to improve visibility on

1 this issue with retailers. Thoughts on whether
2 that's a good recommendation? I think it's a doable
3 one. I could be wrong. FSIS can tell me that I'm
4 wrong, but I think that y'all have done really good
5 work with roundtables over the last year or two. I
6 think they've been helpful.

7 MS. EDELSTEIN: That's great. This is
8 Rachel.

9 DR. B. WILLIAMS: We don't need to forget
10 about those very small processors that are retail
11 exempt, also, that have a retail front of where they
12 may do some small processing that falls under the
13 retail exemption.

14 MS. GALLIMORE: Yeah, that's a great point.
15 That's Byron, right?

16 DR. B. WILLIAMS: Yes. I'm sorry.

17 MS. GALLIMORE: Okay. No, that's fine,
18 Byron. I recognized your voice, just wanted to make
19 sure that the other folks did.

20 And Joe might have a good perspective on
21 that, because I know Joe's one of those we always
22 point to when we want to make sure we're not
23 forgetting the smaller and very small meat
24 establishments. We can also make sure that we bring
25 in Ann (ph.) as well.

1 DR. HARRIS: This is Joe, and I think --
2 Byron, I think that's a good point. There are a
3 significant number of those small and very small
4 processors around the country that do have retail
5 operations on site as well.

6 DR. B. WILLIAMS: Yeah. Absolutely.

7 MS. PERRY: So this is Denise. Rebecca
8 Thistlethwaite would be good for reaching out to
9 small/very small establishments. She runs the Niche
10 Market -- man, I can't -- Niche Meat Processors
11 Association [sic] Network. She also helps
12 coordinate with FSIS for roundtables around the
13 country for small and very small establishments, so
14 that would be two different really great forums to
15 get that word out with entities.

16 MS. GALLIMORE: Absolutely. So we not only
17 have a recommendation, we also have an invite list.
18 Although I know there are others that we can
19 probably identify, especially some more folks from
20 the retail side that we can look into.

21 (Pause.)

22 MS. GALLIMORE: So one of the -- I'm
23 looking at the digital binder and some of the
24 questions that were on there. So if y'all are
25 looking at that, it's on Page 13 is our subcommittee

1 and those questions. And so we answered yes to the
2 question that FSIS should continue not to sample or
3 test these products, and some of the questions posed
4 under there, we've already answered, but I'm going
5 to point out a couple that maybe we have not gotten
6 to yet.

7 I think we've done a good job talking about
8 the options that producing establishments should
9 have to communicate their intended use and what some
10 of those expansions might include. One of the other
11 questions is, what steps should producing
12 establishments take to verify the intended use was
13 both understood and followed by processors and
14 grinders? And how should this be documented or
15 tracked so the establishment and FSIS both know the
16 product was used as intended?

17 I'm going to throw out my answer to this
18 question that I think this is a very difficult thing
19 to do in practice, especially just because, on any
20 given day -- I don't know how many boxes of primals
21 some of these larger establishments are making, but
22 I can tell you the pounds measure in the millions.
23 So trying to track down every single grocery store
24 and retail establishment and get verification back
25 from them that's documented that the product was not

1 used for grinding I think is just an impossible
2 feat.

3 I think it's different if you know you have
4 positive products maybe, and that's what we kind of
5 do with product we know has tested positive. You
6 know, trim and ground beef that has tested positive,
7 we verify on the industry side that, that product
8 has gone through -- steps after it leaves the
9 establishment. But trying to get that for all boxed
10 products would be a nightmare. But I welcome any
11 other thoughts.

12 DR. HARRIS: This is Joe, and I had the
13 same thought on there as far as tracking or getting
14 verification back. And one of the things I had in
15 the back of my mind earlier when I was discussing,
16 somehow or another, documenting at least that the
17 retailer understands the difference and understands
18 what "not intended for non-intact" really means. As
19 far as trying to track it on a box-by-box or
20 shipment-by-shipment basis, I think that's beyond
21 feasible.

22 MS. GALLIMORE: Absolutely, Joe. And I
23 think -- this is Casey again. I think part of the
24 problem with that is, again, just the supply chain.
25 So you could get that kind of -- maybe it's an

1 annual document or something that you get from your
2 customers saying, you know, I'm shipping you boxed
3 beef; you send me a letter every year saying, I
4 understand that this is not intended for non-intact
5 use.

6 But your direct customer is not necessarily
7 the person that ends up receiving that, so trying to
8 go down that rabbit hole to the eventual single
9 retailer I think would just be -- even if you did
10 something more generic that's not on every load or
11 something like that that's just almost like an
12 affidavit on an annual basis, I think it would be
13 just administratively impossible.

14 DR. B. WILLIAMS: Yeah, Casey, this is
15 Byron again. Many of those trimmings go through
16 four or five distributors before they reach the
17 final endpoint of being utilized for grinding in
18 these small operations. Maybe have -- every so
19 often on their grinding logs, at the beginning of
20 each new log, have that question or something there
21 to acknowledge, do you understand intended use of
22 the products that you're using for grinding, or
23 something along those lines. I don't know.

24 MS. GALLIMORE: Yeah. So kind of what it
25 sounds like is that we don't have a great answer on

1 what the producing establishments should do, but if
2 the Agency were to move forward with our
3 recommendation of doing a survey, it could be done
4 that way to make sure that retailers understand the
5 process.

6 One of the other questions on here is, what
7 steps should further processors and/or grinders take
8 to seek out the intended use information from the
9 producing establishment? And this one is a little
10 interesting because I think, primarily, further
11 processors and grinders don't -- the way I'm reading
12 this question is, further processors and grinders,
13 to me, are federally inspected establishments, and
14 those folks, from the conversations we had this
15 morning and what we've mainly been talking about,
16 we're really not talking about those -- that being
17 the issue in the supply chain. We're really talking
18 about the retail portion. I think -- and maybe I'm
19 wrong -- I think, for the most part, further
20 processors and grinders understand -- and Denise
21 gave a great example earlier that y'all understand
22 how those products are supposed to be used and have
23 the information you need.

24 But I welcome any thoughts on whether that
25 is an aspect we need to be considering is also for

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1 the processors and grinders that are purchasing
2 boxed beef products and may be using them for
3 non-intact use.

4 DR. HARRIS: This is Joe Harris. That's a
5 very good point. I have -- for the sake of our
6 discussion today, I've strictly been focusing on not
7 other federally inspected establishments because
8 they are already having to address this situation
9 through their HACCP programs. A lot of our further
10 process members deal with that on a day in/day out
11 basis, whether that be them converting intact
12 products into non-intacts through mechanical
13 tenderization or through grinding, so -- and/or
14 grinding the bench trim that they generate through
15 their steak cutting processes. So I think that the
16 inspected establishments are already dealing with
17 this and have been dealing with it for a while.

18 I've been turning over in my mind some
19 other thing that might be useful, and I think about
20 when I go into retail establishments, whether it be
21 in the deli or the meat market, there's a lot of
22 signage for employees. Could some signage be
23 developed that could be distributed through the
24 retail groups that could be posted in the meat
25 departments for employees that deal with this

1 question?

2 MS. GALLIMORE: Any thoughts on that
3 potential recommendation? I know it's something
4 that the government does in many ways is create kind
5 of easy-to-read content for -- I know OSHA does it
6 and FSIS has done it on certain things. Any
7 thoughts on whether that might be a possible
8 recommendation?

9 MS. CONKLIN: This is Tina from Michigan
10 State. I think that it could be part of a
11 recommendation. If you go back to the success that
12 they had with the deli guidance information, you
13 know, all of that is wrapped up in there to help
14 these retail grocers be better. Like Joe said, the
15 small plants consider these as hazards and take
16 those into account, and it shouldn't be pushed back
17 onto the big plants for the grocery retailers. But
18 I think that those listeria, the guidance for the
19 delis has been a great success for FSIS, and it
20 should just be used as a best practice and can come
21 over to these primals and sub-primals.

22 Because I really don't think that grocery
23 stores want to change that practice. I think that
24 we have to help them manage that practice better and
25 be better educated about it. I really don't think

1 that they would throw away their bench trim and go,
2 oh, jeez, I shouldn't use it. They're going to want
3 to use it; they're not going to want to throw it
4 away.

5 DR. B. WILLIAMS: This is Byron. I think
6 that could be, and that's kind of what I had in mind
7 earlier about making recommendations available to
8 the retailers of steps to follow, whether that be an
9 organic acid rinse or a spray or whatever on that.
10 But have those kind of things in a quick, easy
11 brochure, or at least make them available to where
12 retailers could print them off and post them on
13 there if not provide it through the Agency.

14 MS. CONKLIN: Yeah, I agree. And I think
15 that there's even a best practice checklist or self-
16 assessment that goes along with that deli guidance
17 that helps processors -- the small retailers, excuse
18 me, get better, continue to improve and continue to
19 get better at what they do. But I think Denise was
20 on point when she said, look, it's my job to know
21 this stuff. You don't -- just because you want to
22 produce something in a grocery store doesn't
23 preclude you from needing to know that information
24 or being an expert on it.

25 MS. GALLIMORE: These are great. I think

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1 they fall really well under kind of fleshing out our
2 recommendation, making it a little more specific on
3 some things we think will be helpful. So that's
4 very useful.

5 MS. CONKLIN: Yeah. I don't -- and I just
6 go back to using maybe Denise and Sherri as
7 examples, and neither one of them could claim, well,
8 we just didn't know, so we didn't do it. The Agency
9 would never allow that. It's their job to know
10 that. And, if you're selling it, it's your job to
11 know it.

12 MS. GALLIMORE: Okay. There was one more
13 question under this if you answered yes for us to
14 specifically think about, and that's, in addition to
15 verifying HACCP plan reassessment, what actions
16 should FSIS take at the producing establishment when
17 products intended for intact use are used to make
18 non-intact beef?

19 So I think this is the one rare scenario in
20 which a retailer uses intact product to make raw,
21 non-intact beef; it either tests positive or is the
22 source of an outbreak; and it can actually be linked
23 back to the producing establishment, which is a rare
24 scenario. But, in that case, FSIS would require
25 HACCP plan reassessment. Is there anything FSIS

1 should be doing at the producing establishment when
2 their products are used incorrectly? And, I mean,
3 to me, I think this really goes back -- in my
4 opinion, I think all you can do at the producing
5 establishment is a HACCP plan reassessment.

6 But I've thought about this a lot leading
7 up to this meeting, and I came up with a lot of
8 analogies that it seems like. But, to me, expecting
9 -- there's one -- a key principal of HACCP is
10 knowing your intended use. If you're making chicken
11 nuggets that are shaped like little dinosaurs, your
12 intended consumer is probably children, or adults
13 with a great sense of imagination. But that's
14 definitely an aspect of HACCP. But if you have an
15 intended use, and someone in the supply chain -- not
16 the consumer -- is using your product incorrectly,
17 at what point is that beyond your control a little
18 bit?

19 And I think it goes -- to me, we don't go
20 back to the manufacturer of the vehicle to say,
21 well, you put a seatbelt in there and you put a
22 little annoying noise that goes off when someone's
23 driving and they don't have their seatbelt on, but
24 they still didn't wear their seatbelt, and they got
25 in a car accident, and they were injured. I mean,

1 we don't go back to the car manufacturer and ask
2 them what are they going to change or do different,
3 because they had the resources out there, and the
4 person chose not to utilize them.

5 So I guess I feel very similarly that, at
6 what point is the onus off of the producing
7 establishment? I mean, if they don't physically
8 have the product anymore, if they've given the
9 information that they're being told they're allowed
10 to give to the next person in the supply chain, at
11 what point is it no longer the responsibility of the
12 producing establishment?

13 MS. PERRY: This is Denise. Casey, you and
14 I are on the same page on this one. When I read
15 that, I also went to an analogy thought process,
16 because it was hard for me to swallow that one as
17 well for the same reasons. And I, by coincidence,
18 came up with a similar analogy relative to cars, but
19 where mine was relative to like speed limit laws,
20 right?

21 The government passes, whether it's the
22 state government or county government, passes what
23 speed limits, and that's equivalent to our
24 intact/non-intact HACCP plan. And then the counties
25 and states are responsible for posting those speed

1 limits, which in our world we're responsible for
2 posting if that's intended for grind or not. And
3 then you've got the police who are responsible for
4 enforcing those speed limits, which in our world is
5 going to be the FSIS inspection staff.

6 But then that's where the difference starts
7 is now you've got all those controls in place, and
8 so the consumers are now responsible for following
9 that posted speed limit, or they risk injury, death,
10 or fine. Whether they follow the limit or not,
11 they're going to risk injury, death, or fine just
12 getting in the vehicle, and that's where the
13 difference occurs. The citizen or the consumer is
14 the one that faces the consequences.

15 But, in this case, that question is
16 basically saying the processor is responsible. And
17 that's just -- that logic doesn't add up to me, and
18 so I don't agree with that question being our
19 responsibility necessarily. Where do you stop?
20 Where do you finally put it in the hands of other
21 people to be responsible as well? Processors can't
22 take on all of the responsibility of people's
23 assumed risk.

24 DR. B. WILLIAMS: Good points, Denise. I
25 agree 100 percent. It's shared responsibility. If

1 the plants do hear news that their products were
2 involved, then certainly they would want to look at,
3 reassess their HACCP plans with their acid rinses,
4 whatever procedures that they used back at the
5 production facility, and verify that they are still
6 in place and doing what they're supposed to do. But
7 the onus does have to be shared.

8 (Pause.)

9 MS. GALLIMORE: So we have gotten through
10 all of these specific questions I think we've
11 gotten. So one of them is, what changes to FSIS
12 sampling and testing, HACCP verification
13 instructions, or regulations does the committee
14 believe would be helpful? I think we've talked
15 about how sampling and testing doesn't really seem
16 to be the best avenue.

17 And then we've done a decent amount of talk
18 on outreach methods and messages. I think, you
19 know, our messaging is that there is a risk to
20 taking intact product and turning it non-intact, and
21 then resources on what are options for interventions
22 on how to do that safely.

23 And I guess, to me, I think there is maybe
24 a question that still remains that, if our
25 recommendation is to do all this messaging for

1 retail establishment, and then have part of our
2 recommendations be gathering information from
3 industry and retailers on how this messaging would
4 go out, and what are some of our best avenues for
5 that, is there any information that needs to go out
6 to federal establishments as part of this education?
7 Does it make sense to just let federal
8 establishments know this education program is being
9 initiated? Is there anything that makes sense to
10 include federal establishments on?

11 MS. PERRY: This is Denise. I think it
12 would be good -- I mean, it's always good to put out
13 a notice to remind federal establishments of their
14 role in this as well and their role in the clarity
15 of that message getting passed along.

16 MS. GALLIMORE: I think that's a good
17 point. So some kind of information going out to the
18 federal establishments that, hey, this educational
19 effort is being undertaken, but that doesn't mean
20 that you don't have to worry about STEC anymore. Is
21 that kind of what you're thinking, Denise?

22 MS. PERRY: Yeah, definitely. And even if
23 there's -- because we're a co-packer, so we don't
24 own any product, so very much like probably similar
25 to brokers. You know, our brokers are our

1 customers, essentially, so we sell it to them. They
2 tell us what they want cut; we sell it -- and we
3 sell our labor, not the product. So having some
4 sort of way to also inform that customer that they
5 have an obligation to notify their customers,
6 because it's their product that they're selling to
7 the retailer, not us -- not Lorentz Meats.

8 So it's a bit of a different situation
9 relative to the larger manufactures, but maybe they
10 probably have an equivalent with brokers, so having
11 some sort of way to send a clear message out to that
12 kind of middle man entity before it hits retail
13 would be important as well.

14 (Pause.)

15 MS. GALLIMORE: Does it make sense to maybe
16 ask federally inspected establishments that do send
17 out intended use statements to maybe bulk those up?
18 I know some of that is going to have to be
19 considered through FSIS on what they will allow, but
20 maybe there's an avenue to maybe flesh those out a
21 little bit more so they're not just a quick
22 statement that says, you're not supposed to use this
23 for non-intact. Maybe it comes with a little bit
24 more information on why or --

25 DR. B. WILLIAMS: This is Byron again.

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1 Could the federal establishments or the producing
2 establishments, as well as further processors as
3 well, be provided or have access to that same
4 information that they could provide, then, to their
5 end users? Because they might have a better chance
6 of that getting into their hands as opposed to
7 coming through Health Department or Extension or
8 FSIS even.

9 MS. GALLIMORE: Kind of like a campaign on
10 behalf of industry to get the information out there?

11 DR. B. WILLIAMS: Exactly. I mean, it's
12 public information; it's the same message. Now,
13 okay, the producers, help us to reach your end user
14 with proper protocols or if it's other things,
15 additional steps that you can do to make it safer,
16 then here they are or here are the sources for them.
17 Help me help you.

18 MS. GALLIMORE: Absolutely, Byron. I think
19 that would be even easier if FSIS ends up moving
20 forward with doing some kind of webpage on the
21 subject, because then we can just make sure
22 everybody's getting the same information.

23 DR. B. WILLIAMS: Absolutely.

24 MS. GALLIMORE: So yeah, I think that could
25 all kind of loop into themselves.

1 But something else to consider is how often
2 or how -- is it a statement on every single invoice?
3 Does that make sense? Maybe that's part of it, but
4 maybe there's a letter that goes out on a quarterly
5 or annual basis or something to all of the
6 establishments. Maybe there's another way the
7 establishments can show that they're communicating
8 this to at least the next person in the supply chain
9 for them, and that letter or that communication can
10 include additional resources, like a link to FSIS
11 resources or a link to their website with more
12 information.

13 DR. B. WILLIAMS: Sure.

14 MS. GALLIMORE: Any thoughts on that?

15 DR. B. WILLIAMS: Yeah. Each one of them
16 have to provide letters of guarantee at least
17 yearly, so why not attach it to that or make that be
18 part of that letter of guarantee?

19 U/F: Great idea, Byron. I like it. All
20 in one.

21 DR. B. WILLIAMS: Yeah, yeah.

22 MS. GALLIMORE: And, just to be clear on
23 what we're recommending, because these
24 recommendations do technically go to FSIS, I think
25 what I'm picturing this as is this is a recommended

1 -- I'm scared of using this word, but a recommended
2 best practice. It wouldn't be something that we're
3 asking they require necessarily of federal
4 inspections, but it would be maybe something along
5 the lines of a best practice.

6 Is that what other folks are thinking, or
7 are you thinking a requirement? I don't want to go
8 down that path if we don't have to, but --

9 MS. PERRY: No, I think along the lines of
10 communication considerations, so similar to how they
11 have it on BOLs (ph.) and websites now, just can --
12 you know, these are great additional considerations
13 for that enhanced communication for downstream.

14 MS. GALLIMORE: Okay. Perfect. Is that --
15 that's Denise, correct?

16 MS. PERRY: Yeah, sorry.

17 MS. GALLIMORE: No problem. Just making
18 sure I recognize voices.

19 (Pause.)

20 MS. GALLIMORE: Okay. So now we really
21 have gotten through all of the specific questions
22 that have been presented to us. I think we have a
23 fairly healthy list of recommendations with some
24 specific points that I'm really glad other people
25 were taking notes of so we can pull that all

1 together for tomorrow.

2 But I have a couple takeaway charges that I
3 will do this evening to the best of my ability. I
4 will try and contact a couple retailers just to try
5 and get some thoughts, but I think we kind of nailed
6 that down with our recommendation for some kind of
7 roundtable to gauge retailer input.

8 Are there any other questions from folks?
9 Any other recommendations that have come to your
10 mind throughout the deliberations today? We're kind
11 of getting to the point where I'm not sure what
12 other questions to ask, so I welcome others to chime
13 in.

14 MS. PERRY: I think you've done a great
15 job, Casey, covering all the bases.

16 MS. GALLIMORE: Thank you.

17 U/M: I agree. Thank you, Casey, for
18 taking on the chore of being chairman.

19 (Laughter.)

20 DR. B. WILLIAMS: Absolutely, Casey.

21 MS. GALLIMORE: It's been a pleasure.
22 Y'all have been a great group.

23 MS. S. WILLIAMS: This is Sherri. Yes,
24 thank you, Casey. I appreciate everything. It's
25 been a very good discussion.

1 MS. GALLIMORE: So, if folks don't have
2 anything else, any other questions or things to
3 discuss off the top of your head, I'm out of ideas.
4 My question back to our folks at FSIS is, do we need
5 to continue to hang out for the next 30 minutes?
6 And do I need to start coming up with just random
7 stuff to talk about?

8 (Laughter.)

9 MS. EDELSTEIN: No. I can -- what I could
10 do is let me email Val and tell her we're done, and
11 then maybe we'll reconvene sooner to wrap up.

12 MS. GALLIMORE: Okay.

13 MS. EDELSTEIN: Okay? And then, just for
14 follow-up, I think what we need to do, we have like
15 multiple -- I mean, Jonathan I think is taking notes
16 on the screen, but we have other note takers, so I
17 think -- FSIS note takers, please confirm -- I think
18 this is what we need to do: I think we need to pull
19 it all together and then get it to you for tomorrow
20 morning, because if it's -- and then you can, you
21 know, edit it or whatever to make it into the
22 report.

23 Note takers, agree?

24 MS. SMAW: Yes, ma'am.

25 MR. BAZEMORE: Yes, ma'am.

1 MS. EDELSTEIN: Okay. So, Casey, does that
2 work?

3 MS. GALLIMORE: Yeah. So just so I'm
4 clear, note takers will pool notes together and send
5 that to me, and then, this evening, I can go through
6 and put something together on what our official
7 report would be back to the full committee. But
8 what I can do is after I kind of go through that and
9 kind of pull out our formal recommendation, I can
10 email -- I think if I just respond to the email that
11 Valerie sent me, I'll have everybody's email
12 addresses. So I can just email that out to the
13 group tonight for everybody to look over in the
14 morning, just make sure you don't have any concerns
15 with what I've put together.

16 MS. EDELSTEIN: My only concern is, Casey,
17 I'm not sure if it's going to be tonight or tomorrow
18 morning that we get it all pooled together.

19 MS. GALLIMORE: Okay.

20 MS. EDELSTEIN: We'll get it as soon as we
21 can.

22 MS. GALLIMORE: Well, I think I'll have
23 enough at least to give like a generic -- because
24 our -- I don't know. I'm assuming that the other
25 committee goes first at 9:45.

1 MS. EDELSTEIN: I think we would meet -- we
2 would meet separately, I think, tomorrow. We'll
3 hear that at the wrap-up. Yeah. I mean, I think
4 we'll reconvene tomorrow -- we can. We can
5 reconvene tomorrow morning to be able to finish, or
6 you can reconvene tomorrow morning to be able to
7 finish. Does that work?

8 MS. GALLIMORE: Okay. That definitely
9 works for me. I just wanted to make sure I give
10 people a chance to approve or disprove.

11 MS. EDELSTEIN: Yeah. So does that work
12 for everybody else? We have -- you know, it's
13 schedule to go a second day, like an hour or two.

14 U/F: Yeah, that's fine.

15 MS. EDELSTEIN: Okay. Let me get in touch
16 with Val, and let me get next steps.

17 AT&T EVENT PRODUCER: All right, ladies and
18 gentlemen. This is Michele Ridley, your event
19 producer. Are you guys wrapping up for the day or
20 just ending this session?

21 MS. EDELSTEIN: We're ready to reconvene
22 with the other group whenever they're ready.

23 (Whereupon, the Subcommittee II session was
24 concluded.)

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C E R T I F I C A T E

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IN THE MATTER OF: NACMPI Public Meeting
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DATE: September 24, 2020

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Court Reporter