

Small Plant NEWS

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Small Plant NEWS

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The Small Plant Help Desk—Help is a Phone Call Away

By Keith Payne



Confused by the rules? Want some guidance on meeting Federal requirements? Need help navigating the Web site? Help with these problems and more is just a simple phone call away, to the Office of Outreach, Employee Education, and Training's (OOEET) new Small Plant Help Desk.

The Small Plant Help Desk is a "one-stop" call center where operators of small and very small plants can call or email about anything relating to the regulation of meat, poultry, and egg products. Often, the Help Desk will have materials or resources they can send that are responsive to a problem. In other cases, staff may have to research a problem and return the call with an answer. The common denominator is that an individual staff officer will be working one-on-one with small plant operators to respond to their concerns.

The Help Desk is operated by OOEET's State Outreach and Technical Assistance (SOTA) staff, led by Director Ralph Stafko. "The Help Desk is staffed by knowledgeable and experienced personnel dedicated to personally answering your questions and providing all available assistance. If they don't have the answer, they'll get it for you. They are not there to pass judgment—their goal is to understand your issue and do what they can to help you resolve it," said Stafko.

In addition to answering questions, SOTA seeks also to learn more about the issues with which the small plant community are struggling and to help develop outreach materials and programs that can help.

The Help Desk originated from concerns expressed to FSIS that, despite recent improvements, the Agency was

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Appealing a Rejected Labeling Application

By Linda Singletary

In an earlier issue of *Small Plant News* (Vol. 2, No. 9, 2008), we addressed the 10 most common mistakes companies make on label applications. There were suggestions on how to avoid having to resubmit a label that was not approved because of errors.

Now, we would like to focus on the label appeal process, when a label is evaluated and modified or not approved. The FSIS group you'll need to work with is the Labeling and Program Delivery Division (LPPD). This division is tasked with evaluating labels for compliance with regulations, directives, and the Food Standards and Labeling Policy Book.

"When a label is non-compliant, there is often a number of ways to bring your label into conformance with Federal regulations and policies prior to submitting an appeal," said Rosalyn Murphy-Jenkins, LPPD's Director. "LPDD is likely to choose the most obvious changes to make the label correct.

If you submit a label application without using a label expediting firm and do not want to have modifications made to your label, LPDD suggests that you prominently specify that in the label submission, along with the name of a contact person and telephone number. LPDD staff will try to contact that person directly to discuss the labeling issues. Keep in mind that because of time constraints, LPDD staff may make some modifications to labels or return the label not approved if it cannot quickly contact your company regarding the matter.

If you choose to appeal a labeling modification or rejection decision, submit the label appeal in a separate envelope marked "Appeal" with the Appeal Form that LPDD can provide. Materials should include the labeling application (including sketch application form and supporting documentation) and any comments from LPDD staff.

On the appeal form or on an attachment, provide a reason, or reasons, why you feel that the label should not have been

modified or rejected. This could be a simple statement or an attached letter. When prior approvals are mentioned in your statement, provide complete, legible copies of the prior approvals. If prior approvals are involved, provide a listing of the approval numbers and a few legible copies of the prior approvals. All supplementary documentation should be complete and legible.

Submit the label appeal to the Label Compliance Team Coordinator, Catherine Budak, for a response. The appeal will be evaluated based on the label application and your grounds for expressing opposition. The following address for mailing a label appeal is:

USDA Food Safety and Inspection Service
Labeling and Program Delivery Division
Label Compliance Team Coordinator/Catherine Budak
5601 Sunnyside Ave., Stop 5273
Room 2-2128B, GWCC
Beltsville, MD 20705-5273

Appeals that are seven pages or less may be faxed to (301) 504-0872. The average time that it takes for a decision is about 3 weeks.

An agency decision may be petitioned for further reassessment to the next higher level. However, as the appeal progresses to each successive level, the company needs to provide a new argument with new supporting documentation. Submit the second or third level appeal for label reconsideration to the Label Compliance Team Leader for logging and tracking purposes.

If you have any labeling questions, visit *askFSIS* on the FSIS Web site, www.fsis.usda.gov, or contact the Labeling and Program Delivery Division at (301) 504-0878.

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still not providing the help that small plants need. For example, many small plant operators continued to express frustration when trying in good faith to understand and comply with FSIS' Hazard Analysis and Critical Control Point-related requirements.

"Having this toll-free number where small and very small plants can contact us directly on a range of issues allows us to be much more responsive to their needs," added Stafko.

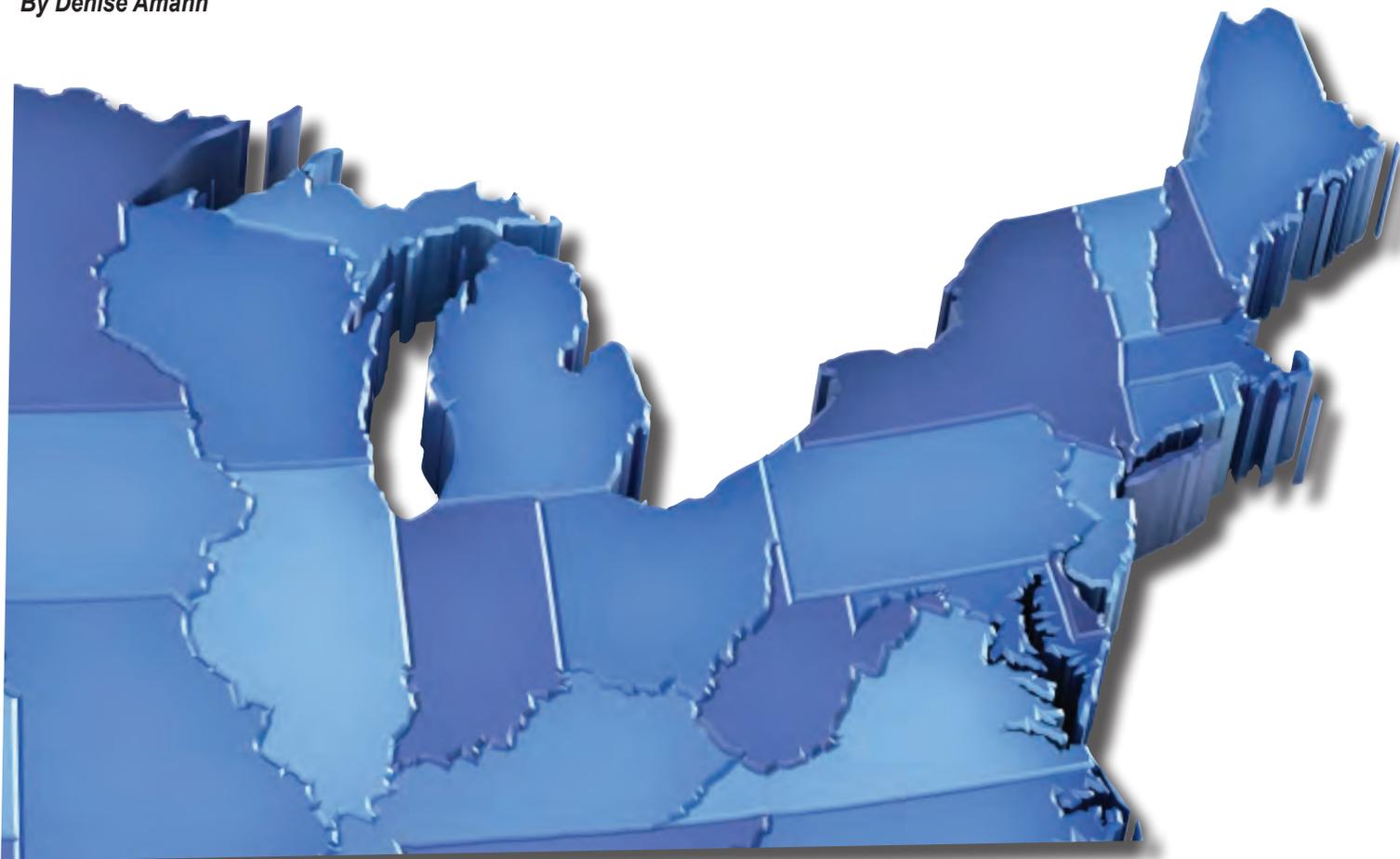
The Help Desk also supports State inspection programs, which collectively regulate about a quarter of the Nation's approximately 8,000 inspected meat and poultry plants. SOTA coordinates Federal support for State inspection programs, including Federal funding and technical assistance needed for State programs to maintain federally mandated standards. Technical assistance includes training and education of State personnel and access to education, guidance, and outreach materials for their use with State-inspected plants.

The call center strengthens the Agency's efforts to serve small plants, which try to comply with Federal regulations, but often need a little help figuring out how to do it. "Small and very small plants are the vast majority of the plants regulated by FSIS. These small businesses are the embodiment of the American dream and a crucial part of our economy," said OOEET Acting Assistant Administrator Carl-Martin Ruiz. "We owe them that extra measure of help they may need to understand Agency requirements, so that small plants can remain vibrant and still produce safe products for our food supply."

If you operate a small or very small plant and there's something not clear to you, or you need assistance in any way, contact the Small Plant Help Desk at 1-877-FSISHelp (1-877-374-7435). The Help Desk will be staffed from 9:00 a.m. to 4:00 p.m. ET, Monday through Friday. Emails are also welcome at InfoSource@fsis.usda.gov. Messages and emails received after hours will be responded to the following workday.

Survey Reveals Training Needs for Northeast

By Denise Amann



The National Institute of Food and Agriculture (NIFA) is an agency of USDA that advances knowledge for agriculture, the environment, human health and well being, and communities through national program leadership and Federal assistance. In an effort to capture information about the training needs of small and very small plants throughout the northeast, NIFA funded a research project. The primary investigators for the project were Dr. Diane Hirsch of the University of Connecticut and Dr. Cathy Cutter of Pennsylvania State University. The investigators and their team distributed a comprehensive survey to 301 meat and poultry establishments in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, and Vermont.

Results of the study revealed that 65 percent of the establishments characterized training as “very important.” Reasons given for not having a training program included lack of time, lack of funds, and lack of access to appropriate training resources. Training programs of highest interest to those surveyed were HACCP regulatory updates, cleaning and sanitation, detection and control of pathogens, and *E. coli* regulations. Training areas of least interest to participants included irradiation, bovine spongiform encephalopathy,

water safety, and proper storage and labeling of chemicals.

Of the establishments surveyed, 99 percent were federally inspected. They reported receiving the majority of their information from FSIS mailings and Agency personnel. Participants stated that they would prefer to receive training information in the form of printed brochures and CD-ROM/DVD materials.

Of those surveyed, 34 percent perceived offsite training as being the least beneficial. Consistently, higher overall knowledge scores were achieved by survey participants who reported training as “very important,” had computer access, and participated in an ongoing training program at their plant. Participants who reported that none of their employees had taken a Hazard Analysis and Critical Control Point course had the lowest overall knowledge scores.

FSIS’ Office of Outreach, Employee Education, and Training will use the results of this study to enhance its outreach strategies for small and very small plants. For more information about the survey or about training programs for your plant, email the Small Plant Help Desk at InfoSource@fsis.usda.gov or call 1-877-FSISHelp (1-877-374-7435). The Help Desk will be staffed from 9:00 a.m. to 4:00 p.m. ET, Monday through Friday.

Briefs *By Jane Johnson*

Interagency Retail *Listeria monocytogenes* Risk Assessment Public Meeting

On June 23, 2009, FSIS and the U.S. Department of Health and Human Services' Food and Drug Administration (FDA) held a joint public meeting in Washington, D.C., to discuss the new interagency risk assessment on *Listeria monocytogenes* (*Lm*) at retail. In presentations, the audience learned about the benefits that resulted when plants implemented the FSIS requirements to implement controls for *Lm*. The meeting gave individuals, organizations, and other stakeholders an opportunity to discuss and provide input to FSIS and FDA on the "Interagency Retail *Lm* Risk Assessment." Written comments on the topic were accepted until July 7, 2009. The materials presented at the meeting are available on FSIS' Web site at www.fsis.usda.gov/News_&_Events/Agenda_Lm_062309/index.asp. The transcript of the meeting is available at www.fsis.usda.gov/PDF/Listeria-Transcript_062309.pdf.

Import Permit Guide

The "Import Permit Guide for Products with Small Amounts of Meat and Poultry" is available on FSIS' Web site at www.fsis.usda.gov/Small_Very_Small_Plants/index.

asp, along with its accompanying electronic presentation. These materials were presented at educational meetings conducted by FSIS during spring 2009 on the Agency's enhanced enforcement program for imported food products containing small amounts of meat or poultry ingredients. The document provides guidance to affected industry organizations, importers, and manufacturers about the requirements for these products when entering the United States. For more information, contact FSIS' Office of International Affairs at (888) 287-7194 or send an email to permits@fsis.usda.gov.

Resource Materials from "How To" Workshops Available on the Web Site

FSIS' Web site now has the resource materials handed out at the "How To" workshops conducted in 2009. The workshops covered a variety of topics and provided valuable information regarding practical tools and methods for proper application and compliance with FSIS regulations. The information can be accessed at www.fsis.usda.gov/Science/Workshop_SmallPlants_HowTo/index.asp. For assistance in obtaining the materials, email the Small Plant Help Desk at InfoSource@fsis.usda.gov or call 1-877-FSISHelp (1-877-374-7435). The Help Desk is staffed from 9:00 a.m. to 4:00 p.m. ET, Monday through Friday.

Commonly Asked Questions & Answers

Q. Does FSIS Directive 5000.5 require federally inspected slaughter or further processing establishments to implement a less than daily sanitation cleaning program?

A. No. The directive provides FSIS inspection program personnel (IPP) with instructions on how to verify Sanitation Standard Operating Procedures compliance in establishments that conduct a complete sanitation clean-up at a frequency less than daily (LTD). It does not imply that establishments must implement a LTD sanitation cleaning program.

Q. Our company owns several different establishments. Can our company transfer labeling (with a pre-printed establishment number) from one establishment to another sister establishment for use with a code mark without receiving temporary approval?

A. No. The receiving establishment will need to submit a request for temporary approval to use labeling bearing the shipping establishment's pre-printed establishment number and code mark.