



Major Revision of FSIS Export Library for Canada

On March 27, 2020, FSIS posted a major revision of the [Export Library for Canada](#). FSIS issued FSIS Notice 15-20 instructing inspection personnel that sign export certificates to Canada to review the contents of the Export Library, and to inform establishments of the update.

FSIS, in conjunction with the Canadian Food Inspection Agency (CFIA), initiated a comprehensive review and update of the FSIS Export Library for Canada to make it more user friendly and ensure that outdated and unclear requirements were clarified or removed, including ensuring that the Export Library accurately reflects the [Safe Food for Canadians Regulations](#) that became effective in January 2019. The changes to the [Export Library for Canada](#) should enhance the efficiency of FSIS personnel who certify the product for export, as well as those in industry producing product for the Canadian market.

FSIS Posts After-Action Report on Salmonella Enteritidis Outbreak

FSIS posted on its website an after-action report for the investigation of a 2018 outbreak of Salmonella Enteritidis illnesses associated with raw, breaded chicken. During May–September 2018, FSIS, as well as public health officials in Wisconsin and Minnesota, investigated an outbreak of 13 Salmonella Enteritidis illnesses linked to raw, breaded chicken products obtained primarily from a food pantry and sourced from an FSIS-regulated establishment. The products may have appeared to be cooked but were in fact raw. The lack of safe handling and cooking instructions after repackaging may have led to inadequate cooking by consumers.

To help prevent future illnesses, FSIS is developing educational materials for food recovery operations, including promotion of proper product labeling.

The purpose of FSIS after-action review reports is to share lessons learned with industry and public health partners from outbreak investigations to help prevent illness and improve response.

To view the full after-action report, please visit <https://www.fsis.usda.gov/wps/portal/fsis/topics/recalls-and-public-health-alerts/foodborne-outbreak-investigation/outbreak-raw-breaded-chicken-2018>. To view additional reports and learn more about outcomes of FSIS outbreak investigations, please visit <https://www.fsis.usda.gov/OutbreakOutcomes>.

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Export Requirements Update

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

- Belarus
- Canada
- Japan
- Kazakhstan
- Korea, Republic of
- Mexico
- Morocco
- New Caledonia
- Singapore

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

Follow-up on Temporary Allowances for Labels Going to Retail

This is a follow-up to FSIS' [March 23, 2020 Constituent Update](#). FSIS recognizes that it may take additional time to bring labels into compliance. Thus, FSIS is clarifying that the enforcement discretion the Agency is exercising for certain labeling described below is temporary for a period of 60 days and will not require establishments to submit labels for temporary approval. Establishments will only need to submit labels for temporary approval if there are other deficiencies that FSIS will need to consider on a case by case basis (e.g., formulation changes that affect claims or export labels now intended to be used domestically). Temporary approval will be granted provided the label meets the conditions for temporary approval in 9 CFR 412.1(f). FSIS expects that establishments and retailers will use this 60-day time period to update their labeling so that any labeling applied to product after May 26, 2020 is fully compliant. FSIS will provide additional information on labeling issues in the future if necessary.

Labeling at a Federal Establishment

Product produced at a federal establishment typically intended for distribution to hotels, restaurants, or similar institutions (HRI) will have modified labels applied by the federal establishment so that the products can now be sold at retail. The label would be mandated to bear all required features. FSIS will not object to the use of labels without nutrition labeling, even if the establishment does not meet an exemption under 9 CFR 317.400 and 381.500, provided the labels do not bear any nutrition claims. The absence of nutrition labeling would normally require an establishment to submit for temporary approval under 9 CFR 412.1(f)(1). However, if the only deficiency is the absence of nutrition labeling, FSIS will not require establishments to submit for temporary approval for the next 60 days. If the proposed label has other deficiencies from FSIS labeling requirements (e.g., formulation changes not reflected in the ingredients statement), establishments will need to submit the label for temporary approval for an evaluation on a case by case basis.

Labeling at Retail for Bulk Product Already in Commerce

Bulk product, even if labeled for HRI (e.g. child nutrition labeled product or product labeled for a specific restaurant or institution), may be distributed to retail where the retailer will repackage the product into smaller consumer size packages and apply a label. The label applied to the repackaged product will need to bear all required features except for the USDA mark of inspection. The only deviation from current requirements under 9 CFR 317.8 and 381.129 is the bulk product may be distributed in a manner that is inconsistent with a statement of limited use on the outer box. For example, a box labeled "for school foodservice use only" can now be distributed to a retail outlet for repackaging and labeling. FSIS will not object to products being distributed in a manner that is inconsistent with the statement of limited use under 9 CFR 317.8 and 381.129 for the next 60 days starting on March 26, 2020.

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Labeling at Retail for Product in Unlabeled Protective Coverings Already in Commerce

A fully labeled container with meat or poultry products in unlabeled protective coverings may be distributed to a retailer for labeling, which is not currently allowed under 9 CFR 317.1 and 381.115. The container may have a statement of limited use that would normally indicate that the product is for HRI only (see example above). FSIS will not object to the container being distributed to retail and the retailer applying a label to the protective covering so that the product may be sold at retail on a temporary basis. The label applied by the retailer may be an insert label supplied by the federal establishment that produced the product or it could be a label that the retailer printed. The insert label provided by the establishment or, alternatively, the label printed at retail, should duplicate the label on the incoming container. The labels applied by the retailer are expected to bear all required features with the exception of the USDA mark of inspection. Labels printed at retail cannot bear the USDA mark of inspection. FSIS will also not require nutrition labeling for such product even if an exemption from nutrition labeling does not apply. FSIS will permit retailers to label products in protective coverings in this manner for the next 60 days starting on March 26, 2020.

Policy Updates

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

FSIS Notice 14-20 - National Bioengineered Food Disclosure Standard - AMS Final Rule

FSIS Notice 13-20 - Major Revision of FSIS Export Library For China

Docket No. FSIS-2020-0010 - Notice of Request for Renewal of an Approved Information Collection (State Meat and Poultry Programs)