

Modernization of Poultry Slaughter Inspection: Amendments to Chilling Requirements

What is the purpose of this Compliance Guideline?

This Compliance Guide contains information regarding how establishments producing ready-to-cook (RTC) poultry can meet the new chilling requirements by implementing former regulatory time and temperature provisions that the final rule on modernization of poultry inspection removed from 9 CFR 381.66 (b) or by following the time and temperature chilling procedures that FSIS approved under the *Salmonella* Initiative Program (SIP). FSIS considers the former regulations and procedures approved under SIP as “safe harbors” that have been scientifically validated. Establishments may also choose to develop their own validated chilling procedures that will effectively control the levels, and prevent the multiplication, of spoilage organisms and pathogenic bacteria.

Background

On August 21, 2014, FSIS published a final rule to modernize poultry slaughter inspection (see *Modernization of Poultry Slaughter Inspection*), <http://www.fsis.usda.gov/wps/wcm/connect/00ffa106-f373-437a-9cf3-6417f289bfc2/2011-0012F.pdf?MOD=AJPERES>. The final rule removed the prescriptive time and temperature parameters for RTC poultry and instead requires that poultry establishments, other than ratite establishments, incorporate procedures for chilling poultry into their Hazard Analysis and Critical Control Point (HACCP) plan or Sanitation Standard Operating Procedures (Sanitation SOP) or other prerequisite programs. The Agency is posting this guidance material on the FSIS Web site: <http://www.fsis.usda.gov/wps/portal/fsis/topics/regulatory-compliance/compliance-guides-index> and announcing its availability through the FSIS Constituent Update. This Compliance Guideline articulates how establishments can meet chilling requirements. It is important to note that this Guidance represents FSIS’s current thinking on this topic and should be considered useable as of this issuance.

Request for Comments

FSIS is seeking comments on this guidance document. All interested persons may submit comments regarding any aspect of this document, including but not limited to: content, readability, applicability, and accessibility. FSIS will update these guidelines in response to any comments that it receives and as needed to reflect the most current information available to FSIS and stakeholders. The comment period will be 60 days.

Comments may be submitted by either of the following methods:

Federal eRulemaking Portal: This Web site provides the ability to type short comments directly into the comment field on this Web page or attach a file for lengthier comments. Go to <http://www.regulations.gov> and follow the online instructions at that site for submitting comments. Mail, including CD-ROMs, and hand- or courier-delivered items: Send to Docket Clerk, U.S. Department of Agriculture, Food Safety and Inspection Service, Patriots Plaza 3, 1400 Independence Avenue, SW, Mailstop 3782, Room 8-163A, Washington, DC 20250-3700.

Instructions: All items submitted by mail or electronic mail must include the Agency name, FSIS, and document title: FSIS Compliance Guideline for Chilling Requirements. Comments received will be made available for public inspection and posted without change, including any personal information, to <http://www.regulations.gov>.

New Regulations Effective October 20, 2014

9 CFR 381.66 (b) (1) (i). Each official poultry slaughter establishment must ensure that all poultry carcasses, parts, and giblets are chilled immediately after slaughter operations so that there is no outgrowth of pathogens, unless such poultry is to be frozen or cooked immediately at the official establishment.

9 CFR 381.66(b) (1) (ii). Previously chilled poultry carcasses and major portions must be kept chilled so that there is no outgrowth of the pathogens, unless such poultry is to be packed and frozen immediately at the official establishment.

9 CFR 381.66(b) (2). After product has been chilled, the establishment must prevent the outgrowth of pathogens on the product as long as the product remains at the establishment.

9 CFR 381.66 (b) (3). The establishment must develop, implement, and maintain written procedures for chilling that address, at a minimum, the potential for pathogen outgrowth, the conditions affecting carcass chilling, and when its chilling process is completed. The establishment must incorporate these procedures into its HACCP plan, or sanitation SOP, or other prerequisite program.

9 CFR 381.66 (e) Air chilling is the method of chilling raw poultry carcasses and parts predominately with air. An antimicrobial intervention may be applied with water at the beginning of the chilling process, provided that its use does not result in any net pick-up of water or moisture during the chilling process. The initial antimicrobial intervention may result in some temperature reduction of the product, provided that the majority of temperature removal is accomplished exclusively by chilled air.

Former Regulatory Provisions That Have Been Removed That May be Followed to Meet New Requirements

Establishments can meet the new chilling requirements by implementing the former regulatory time and temperature provisions that the final rule on modernization of poultry inspection removed from 9 CFR 381.66 (b). Below are the former regulatory provisions that an establishment can continue to implement to meet the regulatory requirements. FSIS considers these provisions to be “safe harbors” that will meet the new regulatory requirements. Under the new regulations, establishments producing RTC poultry that choose to use the former regulations must incorporate these procedures into their HACCP system (HACCP plan or Sanitation SOP or other prerequisite programs). These procedures will prevent the outgrowth of pathogens. As under any other procedures in a HACCP plan, Sanitation SOP, or other prerequisite program that is addressing pathogens, they will also need to continue to monitor those operating parameters and maintain documentation showing that they are following these procedures.

Former provisions that FSIS considers to be safe harbors:

- A. All poultry that is slaughtered and eviscerated in the official establishment shall be chilled immediately after processing so that the internal temperature of poultry carcasses and major portions weighing under 4 pounds was reduced to 40 °F or below within 4 hours of processing; carcasses weighing 4 to 8 pounds, within 6 hours of processing; and those weighing over 8 pounds, within 8 hours of processing unless such poultry is to be frozen or cooked immediately at the official establishment. Once chilled, poultry to be packaged and shipped is to be stored at 40 °F or less.
- B. During further processing and packaging operations, the internal temperature of the poultry carcass may rise to 55 °F, provided that immediately after packaging, the poultry is chilled to 40 °F or placed in a freezer. Any poultry held at the establishment in packaged form longer than 24 hours should be held in a room at a temperature of 36 °F or lower. These times and temperatures ensure no bacterial outgrowth occurs before the package leaves the establishment.
- C. Only ice produced from potable water may be used for ice and water chilling, except that water and ice used for chilling may be reused in accordance with 9 CFR 416.2(g). Major portions of poultry carcasses (as defined in 9 CFR 381.170(b) (22) may be chilled in water and ice. The ice must also be handled and stored in a sanitary manner.
- D. Poultry chilling equipment must be operated in a manner consistent with meeting the applicable pathogen reduction performance standards for raw poultry products as set forth in 9 CFR 381.94 and the provisions of the establishment’s HACCP plan.

- E. Previously chilled poultry carcasses and major portions must be maintained constantly at 40° F or below until removed from vats or tanks for immediate packaging. Such products may be removed from the vats or tanks prior to being cooled to 40° F or below, for freezing or cooling in the official establishment. Such products must not be packed until after they have chilled to 40° F or below, except when the packaging will be followed immediately by freezing at the official establishment.
- F. Giblets should be chilled to 40° F or lower within two hours of the time that they are removed from the inedible viscera, except that when the giblets are cooled with the carcass from which they were drawn, the giblets should be subject to the same time and temperatures for carcasses above in paragraphs A and B. Any of the acceptable methods of chilling the poultry carcass may be followed in cooling giblets.
- G. Poultry washing, chilling and draining practices and procedures must be such as will minimize water absorption and retention at time of packing. The establishment must provide scales, weights, identification devices and other supplies necessary to conduct water tests.
- H. In air chilled, ready-to-cook poultry, the internal temperature of the carcasses shall be reduced to 40° F or less within 16 hours.

Alternative Chilling Procedures Granted under *Salmonella* Initiative Program (SIP) waiver(s)

Under the Modernization of Poultry Slaughter final rule, establishments will no longer need waivers of the regulatory provisions of 9 CFR 381.66 to use alternative approaches for chilling poultry. Establishments that were granted SIP waivers from the time and temperature regulations can use the alternative chilling procedures to meet the new regulatory requirements. FSIS considers the alternative procedures approved under SIP waivers to be validated to prevent outgrowth of pathogens.

The establishments producing RTC poultry that choose to use alternative operating parameters granted under SIP must incorporate these scientifically validated procedures into their HACCP system (HACCP plan or Sanitation SOP or other prerequisite programs). They will also need to continue to monitor those operating parameters.

Below are examples of common alternative procedures implemented by establishments that participated in SIP. Because these alternative procedures have been validated under the SIP program, any establishment producing RTC poultry may choose to implement the alternative procedures and incorporate these scientifically validated procedures into their HACCP system (HACCP plan or Sanitation SOP or other prerequisite programs). These procedures will address the outgrowth of pathogens and no further scientific validation is needed. However, as with any procedure in a HACCP plan, Sanitation SOP, or other prerequisite program that addresses pathogens, establishments will need to document that they have executed these validated procedures to operate as intended within their establishment.

- Alternative procedures to chill young chicken carcasses immediately after processing so that the internal temperature is reduced to 44° F or below in six hours at the chiller exit. Under these alternative procedures, the internal temperature may rise to a maximum of 55° F during further processing provided that immediately after packaging the poultry is placed under refrigeration that promptly lowers the internal temperature to 44° F or less, and that temperature is maintained until shipping. Under these procedures, poultry held in packaged form in excess of 24 hours may be held in a room at a temperature of 40° F or less and poultry to be shipped from the establishment in packaged form needs to be maintained and shipped at 44° F internal temperature or less.
- Procedures for time and temperature as the critical limit (CL) in the critical control point (CCP) to chill young chicken carcasses immediately after processing so that the internal temperature is reduced to 45° F or below in 16 hours. Under this alternative procedure, after chilling, the internal temperature may rise to a maximum of 60°F during further processing provided that immediately after packaging the poultry is placed under refrigeration that promptly lowers the internal temperature to 45° F or less until shipping. Under this procedure, poultry held in packaged form in excess of 24 hours needs to be held in a room at a temperature of 36° F, or less.
- Procedures to maintain previously chilled young chicken carcasses and major portions so that the internal temperature is 44° F or below until removed from vats and tanks for immediate packaging. Such products may be removed from the vats or tanks prior to being cooled to 44° F or below for freezing or cooling in the official establishment. Under this alternative procedure, such products may not be packaged until after they have been chilled to 44° F or below, except when the packaging will be followed immediately by freezing at the official establishment.
- Procedures to chill giblets, major portions, paws, and parts to 44° F or less within 4 hours from the time they are removed from the inedible viscera.