

UNITED STATES DEPARTMENT OF AGRICULTURE  
FOOD SAFETY AND INSPECTION SERVICE  
WASHINGTON, DC

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# FSIS NOTICE

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75-16

9/28/16

**NOTE: DO NOT IMPLEMENT THIS NOTICE UNTIL OCTOBER 1, 2016.**

**VERIFYING THAT RECORDS ARE KEPT BY OFFICIAL ESTABLISHMENTS  
AND RETAIL STORES THAT GRIND RAW BEEF**

## I. PURPOSE

This notice informs Office of Field Operations (OFO) inspection program personnel (IPP) and Office of Investigations, Enforcement and Audit (OIEA) Compliance and Investigations Division (CID) Investigators how to verify whether official establishments and retail stores are maintaining required records concerning suppliers and source materials for raw beef ground at the establishment or retail store.

## II. BACKGROUND

A. FSIS issued the final rule [Records To Be Kept by Official Establishments and Retail Stores That Grind Raw Beef Products](#) on December 21, 2015. This rule requires official establishments and retail stores that grind raw beef for sale in commerce to maintain specific information about raw ground beef they produce. This rule is necessary to improve FSIS's ability to accurately trace the source of foodborne illness outbreaks involving ground beef and to identify the source materials that may be attributable to these outbreaks.

B. The final rule established new requirements in 9 CFR 320.1(b)(4), 320.2 and 320.3. The final rule requires certain records associated with ground beef product production. The final rule does not apply to other activities for producing non-intact product, such as mechanically-tenderizing or needle-injecting raw beef.

C. The new regulations in 9 CFR 320.1(b)(4) require official establishments and retail stores to keep the following information when they grind raw beef:

1. The establishment numbers of the establishments supplying the materials used to prepare each lot of raw ground beef product;
2. All supplier lot numbers and production dates;
3. The names of the supplied materials, including beef components and any materials carried over from one production lot to the next;
4. The date and time each lot of raw ground beef product is produced, and
5. The date and time when grinding equipment and other related food-contact surfaces are cleaned and sanitized.

**NOTE:** Under 9 CFR 320.1(b)(4)(iii), a ground beef lot is defined, for the purpose of raw ground beef recordkeeping, as the amount of ground beef produced during particular dates and times, following clean

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**DISTRIBUTION:** Electronic

**NOTICE EXPIRES:** 10/1/17

**OPI:** OPPD

up and until the next clean up.

D. The new regulations in 9 CFR 320.2 require the records to be maintained at the location where the raw beef was ground.

E. The new regulations in 9 CFR 320.3 require that the records be maintained for one year.

### **III. OIEA COMPLIANCE INVESTIGATOR (CI) RESPONSIBILITIES IN A RETAIL STORE THAT GRINDS RAW BEEF**

A. Investigators are to verify that the retail store is maintaining records as described in Section II, C, D, and E, above. Investigators are to follow the instructions for verifying that retail facilities maintain required records found in [FSIS Directive 8010.1](#), *Methodology for Conducting In-Commerce Surveillance Activities*, Appendix 1.

B. When Investigators observe recordkeeping violations of the new recordkeeping requirements described in Section II, C, D, and E, above, the Investigators are to inform the management official, designee, owner, or product custodian of the violation, and document the violation by issuing a Notice of Warning.

### **IV. OFO INSPECTION PROGRAM PERSONNEL (IPP) RESPONSIBILITIES IN AN OFFICIAL ESTABLISHMENT THAT GRINDS RAW BEEF**

A. IPP are to verify that the official establishment is maintaining records as described in Section II.C, D, and E, above.

B. IPP are to verify that official establishments meet these new recordkeeping requirements when scheduling and performing a Public Health Information System (PHIS) “*Raw Non-Intact HACCP*” task or “*Heat Treated-Not Fully Cooked-Not Shelf Stable HACCP*” task (i.e., for a breaded ground beef product). IPP are to request the production records from the establishment to verify whether the establishment maintains the required information for that lot of raw ground beef.

C. If the official establishment is maintaining the records, IPP are to mark the PHIS task as performed.

D. If the official establishment is not maintaining the records, then IPP are to document noncompliance with 9 CFR 320.1(b)(4), 320.2, or 320.3.

**NOTE:** In a facility that houses both a federally-inspected official establishment and a retail store, CIs are to verify whether the retail store complies with the new recordkeeping requirements. IPP are to verify whether the official establishment meets the new recordkeeping requirements.

### **V. CIRCUMSTANCES IN WHICH AN OFFICIAL ESTABLISHMENT IS NOT REQUIRED TO MAINTAIN GRINDING RECORDS**

A. If an establishment either processes all ground beef product into Ready-to-Eat (RTE) product or moves all ground beef product to another official federally-inspected establishment for further processing into RTE product, IPP are not to verify whether establishments meet these new recordkeeping requirements.

B. For example, an establishment grinds beef and produces not ready-to-eat (NRTE) ground beef as one of its products. The establishment ships all of its NRTE ground beef product to another establishment that uses all of it to make a RTE product. In this situation, the establishment is not required to maintain grinding records; however, if any of the raw product(s) is not destined for RTE product in an official establishment, the establishment would have to maintain grinding records that would be subject to FSIS review.

## VI. QUESTIONS

Refer questions regarding this notice to the Policy Development Staff through [askFSIS](#). When submitting a question, use the Submit a Question tab, and enter the following information in the fields provided:

Subject Field: Enter Notice 75-16  
Question Field: Enter your question with as much detail as possible.  
Product Field: Select General Inspection Policy from the drop-down menu.  
Category Field: Select Regulations/Agency Issuances from the drop-down menu.  
Policy Arena: Select Domestic (U.S.) Only from the drop-down menu.

When all fields are complete, press Continue and at the next screen press Finish Submitting Question.

**NOTE:** Refer to [FSIS Directive 5620.1](#), *Using askFSIS*, for additional information on submitting questions.

A handwritten signature in black ink, appearing to read "David Joseph". The signature is written in a cursive style with a large initial "D".

Assistant Administrator  
Office of Policy and Program Development