

2015-2016 AFDO FINAL COMMITTEE REPORT

Food Committee

***Chair:** Jim Melvin, NC Dept. of Agriculture, Raleigh, NC

Chair: Byron Beerbower, MI Dept. of Agriculture, Lansing, MI

Co-Chair, Field: Dave Read

Co-Chair, Meat & Poultry: Keith Payne

Co-Chair, Retail: Joseph Graham

Co-Chair, Retail: Kimberly Stryker

Charge 1: Track FSMA implementation efforts and advise AFDO Board of strategies for improving these efforts. Report back to the board on current events as they relate to FSMA for distribution to state members.

Discussion: In general FDA is developing/finalizing implementation and training for Preventive Controls for Human Foods, with training for the states to align with the MFRPS process. Training and funding will focus on preparing the states to implement the Preventive Controls for Human Foods Rule. Similar plans are in process for the implementation of the Preventive Controls for Animal Food Rule. FDA has been working with NASDA and a group of representatives from other organizations, including AFDO (Byron Beerbower, Steve Stich and Pat Kennelly) on Policy and Implementation plans for the Produce Rule. The Produce Safety Alliance is working on finalization of the curriculum in line with the rule.

FDA has established its Technical Assistance Network (TAN) call center to answer questions regarding PC Human and Feed Rule and the Produce Rule. Staffing is being added to the TAN center and part of their task is to developing FAQs in response to questions that are repeatedly asked. A regulator's TAN is in the works.

The Transportation Rule implementation is in process. The final rule has been published and the implementation date is June 6, 2016. The work continues the other FSMA rules. Office of Partnerships is working on a Statement of Work to fund states for FSMA focused on a multiyear agreement

Recommendations: Continue charge next year.

Executive Committee Action:

Approval Disapproval Date 6/24/16

Charge 2: Host quarterly calls with interested state members to be a conduit for information exchange between the FDA FSMA Operation Teams and the states. Points of contact (Steve Stich embedded in import WG, Ernie Julian embedded in PC and Pat Kennelly embedded in Produce WG).

Discussion: This charge will continue on as it did last year. No calls were held to meet this charge but there was state representation in each of the FSMA workgroups.

Recommendations: Continue charge next year.

Executive Committee Action:

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Charge 3: Maintain contact with CFP committees and identify opportunities for collaboration. Contact the CFP Executive Director prior to the CFP conference and request an opportunity to provide an update on AFDO activities of interest that are relevant to CFP. Regularly request and maintain a listing of CFP committees and their members.

Discussion:

- Steve Moris is AFDO’s Liaison to the CFP and worked with Dave McSwane (CFP).
- AFDO has exchanged membership lists with CFP Executive Director Dave McSwane.
- *Shared AFDO/CFP [Exec Board Membership 2014-2016](#)*
 - David McSwane (CFP) – Exec Director
 - Terry Levee (Giant Eagle, Inc.) – Industry Member at Large, Vice-Chair
 - Dean Finkenbinder (WY) – SW State Agency Voting Member (retiring soon, term exp 2018)
 - Glenda Lewis (FDA) – Fed Voting Member
 - Kristin Delea (CDC) – Fed Voting Member
 - Larry Eils (NAMA) – Vending Industry Voting Member (term exp 2016)
 - Michael Roberson (Publix Super Markets Inc.) – Resolutions Committee Chair – nonvoting
 - Lee Cornman (FL Ag & Consumer Services) – Constitution, Bylaws & Procedures Chair – nonvoting

The 2018 Biennial Meeting is scheduled for April 16-20, 2018 in Richmond, VA. The CFP Conference Chair is Patrick Guzzle (Division of Public Health, Idaho Department of Health & Welfare) and the Conference Vice-Chair is Ken Rosenwinkel (Jewel-Osco).

In addition to standing committees, the 2016-2018 committees are:

1. Clean in place
2. Unattended food establishments
3. Demonstration of knowledge
4. Employee food safety training
5. Produce wash – chemical treatment of water used to wash, rinse, crisp, process fruit & vegetables
6. Special process control
7. Mail order food safety.

Sign-up for the 2016-2018 committees has closed and the list is posted at <http://www.foodprotect.org/about/news/2016-2018-committee-formation-sign-up-list/>

Recommendations: Continue charge next year.

Executive Committee Action:

Approval Disapproval Date 6/24/16

Charge 4: Create an AFDO Guidance on Wild Harvested Mushrooms

Discussion: Erik Bungo continues to lead the work on this charge. At last year’s AFDO conference (Food Committee meeting), Erik gave a detailed presentation on the committee’s work and worked to establish a page on AFDO’s site that compiled relevant resources <http://afdo.org/mushroom>.

One of this year’s IFPTI fellows, Priya Nair (DPH in GA), contacted states to collect information concerning state

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regulatory requirements relative to wild mushrooms. Another IFPTI fellow, Brandon Morrill from Northwest Michigan Community Health Agency, has worked on a project related to the training requirements for the identification of foraged, wild mushrooms. Priya and Brandon will be sharing that information with Erik's group to further the work on the charge.

Erik is looking to ask a training expert to join the committee. Both IFPTI fellows and Erik are scheduled to present at the Food Committee meeting in Pittsburgh.

We expect the committee to wrap up in early 2017.

Recommendations: Continue charge next year.

Executive Committee Action:

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Charge 5: Develop a model guidance for shared kitchens.

Discussion: Last year, Phyllis Black & Roxanne Hill led the work on this charge, providing information at last year's Food Committee meeting at AFDO; however, Roxanne has since transferred to a different office. Kim Stryker agreed to step in for Roxanne and work with Phyllis.

Phyllis and Kim continue to compile information and requirements nationwide to develop guidelines. So far, they have gathered guidance from Chicago and Georgia Department of Agriculture and the North Carolina Department of Agriculture, and a document that the Hawaii Cooperative Extension Service developed to assist planners in establishing a shared kitchen. Kim Stryker will be presenting on the topic at the AFDO Conference.

Recommendations: Continue charge next year.

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Charge 6: Coordinate among state regulatory members in advance of the 2016 Conference for Food Protection (CFP) regarding attendance, caucus participation, and other issues of concern; shall coordinate opportunities in advance of the conference for review of and consensus on issues submitted for consideration at the conference via webinars and/or conference calls. The committee shall seek to develop consensus, talking points, and speakers to address the Councils and Voting Delegates around issues of importance and priorities for AFDO membership prior to and at the CFP meeting.

Discussion: In order to facilitate a closer working relationship between the Conference for Food Protections and AFDO, the following action have been taken:

1. AFDO provided a sponsorship of \$3,000 for the 2016 CFP conference.
2. AFDO provided Retail Food Grant brochures for 2016 conference.
3. AFDO was scheduled to deliver a presentation Sunday morning at the CFP on successful state/local projects from grant and resources available; unfortunately, there was a mix-up with scheduling and Dave McSwane sent the PPT presentation to attendees electronically.
4. Kim Stryker, Steve Moris, and Steve Mandernach are reviewing the 2006 MOU with CFP to identify any

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needed revisions.

5. CFP will be providing a report at the AFDO 2016 Conference in Pittsburgh.
6. AFDO has provided links to CFP website and CFP has corresponding links to AFDO website. (CFP Resources link on AFDO page & AFDO link on CFP page).

Steve Moris and Steve Mandernach hosted the first state caucus meeting on April 15, 2016 at CFP in Boise, ID in April. Invited speakers were David Plunkett (discussing issues of priority to consumer groups), Vince Radke (discussing issues of priority to CDC), and two representatives from USDA FSIS (discussing issues submitted by USDA FSIS). Selecting issues likely to have some controversy associated, the group discussed issues from each of the three councils. The meeting was very successful in accomplishing its purpose and attendees reported that they would like to see these meetings held at future CFP meetings. Some would have liked to have seen greater advertisement of the caucus and some local jurisdictions remarked that they would like to be specifically invited, as well.

The 2018 Biennial Meeting is scheduled for April 16-20, 2018 in Richmond, VA. The CFP Conference Chair is Patrick Guzzle (Division of Public Health, Idaho Department of Health & Welfare) and the Conference Vice-Chair is Ken Rosenwinkel (Jewel-Osco). Sign-up for the 2016-2018 committees has closed and the list is posted here.

Recommendations: Continue activities for next biennial meeting.

Executive Committee Action:

Approval



Disapproval



Date

6/24/16

Additional Committee Report:

Meat and Poultry Subcommittee

- 1) *Listeria* Control in Retail Delicatessens
- 2) Siluriformes Fish Inspection
- 3) Retail Grinding Log Rule
- 4) Recent Recommendations from the National Advisory Committee on Meat and Poultry Inspection
- 5) Allergen Control
- 6) Labeling Requirements for Mechanically Tenderized Beef

1. *Listeria* Control in Retail Delis

Best Practices Guidance for Controlling Lm in Retail Delis

On June 11, 2015, FSIS published a *Federal Register* [notice](#) announcing the availability of its updated "[Best Practices Guidance for Controlling *Listeria monocytogenes* \(*Lm*\) in Retail Delicatessens.](#)" Additionally, FSIS responded to comments received on the guidance posted on its website and announced in the April 2014 *Federal Register*. Docket FSIS-2013-0038 is [here](#).

The guidance discusses steps that retailers can take to prevent certain ready-to-eat (RTE) foods that are prepared or sliced in retail delicatessens (delis) and consumed in the home, such as deli meats and deli salads, from becoming contaminated with *Lm*. The June 2015 guidance incorporated the following changes in response to comments:

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- Clarified that food processing equipment should be disassembled during cleaning and sanitizing.
- Added a recommendation that retailers scrub surfaces during cleaning to prevent biofilm formation.
- Clarified that retailers should rotate (change) sanitizers to help prevent *Lm* from establishing niches in the environment and forming biofilms.

Pilot Project with Retailers re: Lm Best Practices

On January 25, 2016, FSIS launched a pilot project to assess whether retailers are using the recommendations in the [“Best Practices Guidance for Controlling *Listeria monocytogenes* \(*Lm*\) in Retail Delicatessens.”](#) The pilot project will be a year-long and include 400-500 retailers nationwide.

Before the pilot project began, FSIS performed a pre-pilot project at 16 retail establishments the week of December 8-15, 2015, to gather information for the nationwide pilot project, which started January 25, 2016. During the pre-pilot project, eight senior compliance Investigators visited two retail establishments each in various parts of the country. The preliminary findings from the pre-pilot project indicated that retailers were not aware of the FSIS Retail *Lm* Guideline, at least at the store level, and additional outreach was needed. The pre-pilot also found that a higher percentage of retailers met the facility and equipment controls and employee practices recommendations (94 and 83% respectively) than the product handling and cleaning and sanitizing recommendations (65 and 63%, respectively).

As part of the pilot project, FSIS Compliance Investigators will complete a questionnaire to assess retailers’ voluntary adoption of the *Lm* control measures in the Best Practices Guidance document, which highlights information from the [Interagency Retail *Lm* Risk Assessment Findings](#) and the [2013 FDA Food Code](#). There are 37 questions in the questionnaire that are similar to the 32 questions in the Self-Assessment Tool on page 12 of the Retail *Lm* Guideline (some questions have been broken down into multiple parts). The questionnaire will be used to assess practices in the following areas: product handling, cleaning and sanitizing, facility and equipment controls, and employee practices.

FSIS will not sample for *Lm* at retail as part of the pilot project and will not take any new enforcement actions. FSIS will continue to follow enforcement procedures described in FSIS Directive 8010.1, [Methodology for Conducting In-Commerce Surveillance Activities](#) at retail. Compliance Investigators will discuss vulnerabilities that are observed during the survey, but FSIS will not be asking the retail operator to complete the survey.

FSIS is tracking the responses to the survey over time to determine if there is an increase in retailers adopting the recommendations in the guideline. Therefore, FSIS may survey the same retailer more than once. FSIS also sought [input from the National Advisory Committee on Meat and Poultry Inspection \(NACMPI\)](#) on next steps for *Lm* control at retail, which is described in greater detail within the NACMPI entry of this update.

Based on the results from the pre-pilot, FSIS is distributing a tri-fold brochure describing *Lm* control measures during the pilot, and plans to revise the FSIS Retail *Lm* Guideline to focus on product handling and sanitation controls. The information from the pilot project will be analyzed quarterly and the results are being posted on FSIS’ Web site through the [Constituent Update](#).

If there are any questions regarding the *Lm* pilot, they need to go to the Office of Policy and Program Development’s Risk and Innovations Management Staff through [askFSIS](#) or by telephone at 1-800-233-3935. When submitting a question, use the ‘Submit a Question’ tab. In the subject field enter “Retail *Lm*.”

FSIS hosted a webinar on September 29, 2015 with representatives from FSIS and the Centers for Disease

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Control & Prevention. The video of the webinar is [here](#).

2. *Siluriformes Final Rule*

Through the 2008 and 2014 Farm Bills, FSIS now inspects Siluriformes, including catfish, under the Federal Meat Inspection Act.

On December 2, 2015, FSIS [published](#) the final rule, “Mandatory Inspection of Fish of the Order Siluriformes and Products Derived From Such Fish.” This final rule adopted the proposed regulations (from 2011) with some changes, which include:

1. The labeling regulations permit the use of the term “catfish” only on labels of fish classified within the family Ictaluridae.
2. The term “fish” in the Safe Handling Instructions.
3. The retail store exemption includes, as an exempt retail operation, the slaughter of fish at retail stores or restaurants for consumers who purchase the fish at those facilities, and in accordance with the consumers’ request.

Effective Date, Enforcement

The effective date for the rule’s implementation was March 1, 2016. From that point on, there is an 18-month transitional period to ensure that all establishments affected by the rule’s requirements can be in compliance before full enforcement begins on September 1, 2017.

During this transitional period, FSIS is present during all hours of operation at slaughter and slaughter/processing (primary) establishments and present at least quarterly at processing-only (secondary) establishments. FSIS is providing establishments an opportunity to train personnel and to bring their operations into full compliance with the new regulations, and FSIS personnel will use **broad discretion** in enforcing the regulatory requirements, except when the establishment has produced **adulterated** or **misbranded** fish product, or when there is intimidation of or interference with FSIS personnel. If FSIS finds other noncompliances with final FSIS regulations, FSIS will work with the establishment to bring it into compliance during the 18-month transitional period, and the Agency is developing compliance guidelines to aid establishments in complying with the new regulations.

Foreign Countries

By the effective date, March 1, 2016, foreign countries that currently export Siluriformes fish and fish products to the United States, and intend to continue during this 18-month transitional period, had to submit:

- A complete list of establishments with establishment name and number
- Documentation to demonstrate their authority to regulate the growing and processing of fish for human food and assure compliance with the Food and Drug Administration’s (FDA) good manufacturing practices, Hazard Analysis and Critical Control Point (HACCP) plans, Sanitation Control Procedures, & other regulatory requirements

FSIS will recognize the initial documentation foreign countries submit until full enforcement begins on September 1, 2017. Foreign countries seeking to continue exporting Siluriformes fish and fish products to

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the United States after full enforcement are advised to initiate a request for equivalence and provide documentation showing its system is equivalent as soon as by the end of the 18-month transitional period. After September 1, 2017, FSIS will refuse entry if a foreign country has not submitted equivalence documentation, and all imported Siluriformes fish and fish product shipments will be reinspected just as all imported meat and poultry products from equivalent countries are reinspected.

Educational Meetings

- Jan 21, 2016, Washington DC. The PowerPoint presentation will be available on the siluriformes web page at www.fsis.usda.gov/siluriformes.
- Jan 27, 2016, Stoneville, MS.
- Importers - [Mar 3, 2016](#), Newark, NJ.
- Importers - Mar 17, 2016, Los Angeles, CA.
- Importers - Mar 24, 2016, Houston, TX.
- One educational meeting at each of the 10 FSIS District Offices - Alameda, CA, Atlanta, GA, Chicago, IL, Dallas, TX, Denver, CO, Des Moines, IA, Jackson, MS, Philadelphia, PA, Raleigh, NC, and Springdale, AR. Dates to be determined.

3. Retail Grinding Log Rule

On July 16, 2014, USDA released a [proposed rule](#) to improve traceability of ground meats that would require retailers of ground beef products to keep records of grinding and of cleaning and sanitizing of grinding equipment and related food contact surfaces. The comment period closed October 22, 2014. The [final rule was published December 21, 2015](#) and becomes effective June 20, 2016. Docket FSIS-2009-0011 is [here](#).

Related documents:

1. [USDA Review of Adequacy of Records at Retail for Traceback](#) (presented at CSTE 2012)
2. [Sanitation Guidance for Beef Grinders](#) (includes grinding log template and example)
3. [Guidance for Beef Grinders and Suppliers of Boneless Beef & Trim Products \(2002\)](#).
4. [Best Practices for Raw Ground Products \(2009\)](#)
5. [CDC EHS-Net Study: Recordkeeping Practices of Beef Grinding Activities at Retail Establishments \(2010\)](#)
6. [CDC EHS-Net Study Fact Sheet](#)
7. [News Release](#) (Dec 2015)

4. Recent Recommendations from the National Advisory Committee on Meat and Poultry Inspection

March 29-30, 2016 meeting in Washington DC

1. [FSIS Best Practices Guidance for Controlling Lm in Retail Delicatessens Charge](#)
2. [Consideration of Mandatory Labeling Features for Certain Processed Not Ready-to-Eat Meat & Poultry Products](#)
3. [Transcripts](#)

NACMPI website is [here](#).

5. Allergen Control

To reduce allergen reactions and recalls, USDA released a 26-page guideline document to assist meat, poultry, and processed egg product producers in November 2015, [Allergens & Ingredients of Public Health Concern: Identification, Prevention & Control, and Declaration through Labeling \(November 2015\)](#).

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[News Release](#) Nov 2015

6. Labeling Requirements for Mechanically Tenderized Beef

To provide consumers, restaurants, and other food service facilities more information about the products they are buying, as well as useful cooking instructions so they know how to safely prepare them, in May 2015, USDA issued new labeling requirements for raw or partially cooked beef products that have been mechanically tenderized. The rule became effective May 17, 2016. Docket FSIS-2008-0017 is [here](#).

Related documents:

1. [FSIS Compliance Guideline for Validating Cooking Instructions for Mechanically Tenderized Beef Products](#) (2015)
2. [Q&A on Descriptive Designation for Needle- or Blade-Tenderized \(Mechanically Tenderized\) Beef Products](#) (Mar 2016)
3. [askFSIS About Mechanically Tenderized Beef Products](#)
4. [News Release](#) (May 2015)
5. [Blog Entry](#) (May 2016)

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