

## PolicyPennings by Daryll E. Ray & Harwood D. Schaffer

# USDA publishes specifics on new *E. coli* O157:H7 traceback procedures

One of the ongoing criticisms that has been leveled at the United States Department of Agriculture, Food Safety and Inspection Service (FSIS) has been the way it handles positive tests for *Escherichia coli* (*E. coli*) O157:H7—and other shiga toxin-producing *E. coli* (STEC)—at beef processing facilities that do not slaughter any animals but instead purchase beef from others. Some of the operators of these downline facilities have complained that following a positive *E. coli* test they have been subject to repeated inspections while FSIS has been unwilling to trace the source of the *E. coli* back to the slaughter plant unless there is a major illness outbreak.

On May 7, 2012, the FSIS published “Changes to FSIS Traceback, Recall Procedures for *Escherichia coli* O157:H7 Positive Raw Beef Product, and Availability of Compliance Guidelines” in the Federal Register (<http://www.fsis.usda.gov/OPPDE/rdad/FR-Pubs/2011-0009.pdf>)—all quotes in this column come from that FSIS publication. In this publication, FSIS announces “proposed new procedures that it intends to implement when FSIS or other Federal or State agencies find raw ground beef presumptive positive for *Escherichia coli* (*E. coli*) O157:H7....

FSIS stated “its intention to now, as a matter of routine policy, request a recall if an establishment was the sole supplier of beef trim source materials for ground product that FSIS or other Federal or State agencies find positive for *E. coli* O157:H7, evidence suggests that contamination most likely occurred at the supplier establishment, and a portion of the product from the originating source lot was sent to other establishments.”

This notice also reported the intention of FSIS to better use testing results from slaughter facilities, “conduct a study to help it identify the source of *E. coli* O157:H7 positive ground beef when the material from multiple suppliers [as opposed to a sole supplier] was used to produce positive product,” and announce “the availability of compliance guidelines concerning establishment sampling and testing for shiga toxin-producing *E. coli* (STEC) organisms or virulence markers and compliance guidelines for *E. coli* O157:H7 sampled and tested labeling claims.”

The notice allows for a 60 day comment period that ended July 6, 2012. “FSIS intends to evaluate comments, make any necessary changes to policies and procedures based on comments and announce final policies, procedures, and implementation dates

in a subsequent Federal Register notice.”

“Under FSIS’s current traceback policy, FSIS does not begin conducting any investigations or follow up activities until positive results based on FSIS testing are identified or until outbreaks occur.”

“On October 8, 2010, in response to comments received at [a March 10, 2010] public meeting, FSIS issued instructions to inspection program personnel to record information on the source materials and on the suppliers at the time they sample ground beef or bench trim for *E. coli* O157:H7 (FSIS Notice 58–10). With issuance of the October 8, 2010 notice, FSIS changed its procedures so that inspection program personnel no longer wait for a positive test result before they gather supplier information.

“FSIS agreed with comments that had been submitted in response to the public meeting that collecting supplier information at the time the sample is collected would better serve FSIS’s goal to respond to FSIS presumptive positive results by identifying all affected product and all potential suppliers as quickly as possible to protect public health.”

“Using the supplier information, [FSIS personnel] will then conduct traceback investigations at establishments that produced the *E. coli* O157:H7 positive product and at suppliers that provided source materials for ground beef or bench trim that FSIS has found positive.

“These traceback investigations will begin as soon as possible, based on presumptive positive results [as opposed to the results of additional tests conducted to guard against false positives, thus delaying any response to a potential disease outbreak] and supplier information from the producing establishment.”

In addition, “FSIS intends to implement a new recall policy to request that supplier establishments recall product if all of the following circumstances occur:

“(1) FSIS or other Federal or State agencies find raw ground beef positive for *E. coli* O157:H7 at a grinding establishment;

“(2) FSIS determines that *E. coli* O157:H7 cross-contamination was unlikely to have occurred at the grinding establishment where the sample was taken (based on FSIS’s assessment of the grinding establishment’s handling practices);

“(3) FSIS determines that the grinding establishment did not combine material from multiple source lots to create the lot of product that tested positive;

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“(4) After conducting traceback to identify the slaughter and trim fabrication supplier that provided the sole source material, FSIS determines that the supplier or downstream users split the implicated lot before sending it to the establishment where the positive sample was taken; and

“(5) Some portion of the split lot sent to the grinder was sent into commerce for further processing into product that does not receive a full lethality to eliminate *E. coli* O157:H7 in a federally inspected establishment.

“If all of these circumstances occur, FSIS intends to request a recall from the slaughter or trim supplier establishment. If cross contamination did not occur at the grinding establishment, the source materials would be considered adulterated because, based on evidence and available data, contamination occurred at the slaughter or trim establishment.”

“FSIS believes that this new recall policy will better protect the public from consumption of *E. coli* O157:H7 contaminated product because it will better ensure that source materials that are contaminated with

*E. coli* O157:H7 are removed from commerce. [In the past,] FSIS has requested recalls from sole suppliers that provided source materials for product found positive at grinders under specific, special circumstances, but not as a general rule.”

These proposed changes in procedures at FSIS represent a positive development that improves food safety for consumers. At the same time, they also protect livestock producers from disruptions in demand that can occur after a major outbreak of *E. coli*-caused disease.

In next week’s column we will review other changes FSIS intends to make to improve the safety of the US beef supply.

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