

October 6, 2005

Docket Clerk  
U.S. Department of Agriculture  
Food Safety and Inspection Service  
300 12<sup>th</sup> Street, S.W.  
Room 102 Cotton Annex  
Washington, DC 20250

RE: Notice of a Section 610 Regulatory Flexibility Act Review of the  
Pathogen Reduction/Hazard Analysis Critical Control Point (HACCP)  
Systems Final Rule  
Docket No. 05-024N

The Center for Science in the Public Interest (CSPI) appreciates this opportunity to comment on the Department of Agriculture's (USDA) Notice of Review of the HACCP Systems Final Rule. CSPI is a non-profit consumer advocacy and education organization that focuses largely on food safety and nutrition issues. It is supported principally by the 900,000 subscribers to its *Nutrition Action Healthletter* and by foundation grants.

In 1996, the FSIS published the final rule regarding pathogen reduction/hazard analysis and critical control point systems (HACCP). This rule required that (1) establishments develop and implement written Sanitation Standard Operating Procedures; (2) conduct regular microbial testing at slaughter establishments to verify the adequacy of the process controls for the prevention and removal of fecal contamination and associated bacteria; (3) establish pathogen reduction performance standards for *Salmonella* at slaughter establishments and establishments producing raw ground products; and, (4) all

meat and poultry establishments develop and implement a system of preventative controls designed to improve the safety of their products, known as HACCP. Since that time, establishments of all sizes have been required to incorporate and follow HACCP systems.

Pathogen testing is an essential weapon in the government's arsenal against food borne illness. Testing at several levels is needed to ensure consumer and public health protections. This program has shown a marked improvement on *Salmonella* levels throughout the meat and poultry industry, however; further action needs to be taken regarding *Salmonella*, including publishing updated performance standards. In addition, more needs to be done regarding *E. coli*<sup>1</sup>, *Listeria*<sup>2</sup> and *Campylobacter*<sup>3</sup>. CSPI has filed petitions asking FSIS to require microbial testing and to set standards for all of these pathogens.

This federal review of the HACCP program is being conducted, under Section 610 of the Regulatory Flexibility Act, to determine what, if any, significant economic impacts this has had on small entities. This final HACCP rule has been in place for almost 10 years. All establishments, large and small, have implemented their HACCP systems and are successfully operating under those systems. Therefore, this rule should not change regarding its applicability. All plants, large and small, should continue to operate under and comply with the HACCP standards.

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<sup>1</sup> July 2002 – Citizen Petition requesting that FSIS require microbial testing of raw beef carcasses and trimmings for *E. coli* O157:H7.

<sup>2</sup> December 1999 – Citizen Petition asking that FSIS require microbial testing for *Listeria* in ready-to-eat meat and poultry.

Sincerely,

          /s/          Amy E. McDonnell            
Amy E. McDonnell  
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Caroline Smith DeWaal  
Director, Food Safety Program

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<sup>3</sup> February 2005 – Citizen Petition asking that FSIS publish performance standards for *Campylobacter jejuni* in raw poultry.