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Department of Agriculture
Food Safety and Inspection Service
Room 102
300 12th Street, SW
Washington, DC 20250-3700

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Charlotte Christin

**Re: Performance Standards for On-Line Antimicrobial Reprocessing of Pre-Chill Poultry Carcasses; Proposed Rule; Docket No. 98-062P 65 Fed. Reg. 75187 (Dec. 1,2000)**

The Center for Science in the Public Interest (CSPI) appreciates this opportunity to comment on the Food Safety and Inspection Service's (FSIS) proposed rule on establishing performance standards for on-line antimicrobial reprocessing of poultry carcasses. CSPI is a nonprofit consumer group that focuses primarily on nutrition and food-safety issues and has approximately 850,000 members/subscribers throughout North America.

CSPI applauds **FSIS** for issuing a proposal that we believe can lead to **a** significant reduction in the presence of ***Salmonella*** and other pathogens in poultry. We are particularly pleased that FSIS has signaled its interest in establishing a performance standard for *Campylobacter* in poultry and has requested comment regarding this issue.

This proposal addresses three microorganisms of great concern due to their role in

foodborne illnesses: ***Salmonella, Campylobacter*** and ***E. coli.'*** Each year foodborne diseases cause approximately 76 million cases of illness, 325,000 hospitalizations and 5,000 deaths in the U.S., according to estimates by the Centers for Disease Control and Prevention.[2] Of these, non-typhoidal, foodborne ***Salmonella*** is believed to cause more than 10 percent of the deaths and more than 1.3 million illnesses; ***Campylobacter*** is estimated to cause nearly 100 deaths and 2 million illnesses; and foodborne pathogenic *E. coli* species together cause approximately 175,000 illnesses and nearly 3,000 hospitalizations.[3] Clearly, foodborne illnesses are a critical public-health issue, and reductions in the prevalence of ***Salmonella, Campylobacter*** and ***E. coli*** spp. on poultry carcasses would have significant public-health benefits.

Further, we strongly agree with **FSIS** that the off-line processing of visibly contaminated birds can spread pathogens through product handling. Measures which allow these carcasses to be reprocessed on line can be instrumental in reducing cross-contamination.

## I. FSIS Should Set Quantitative Pre-Chill Performance Standards for On-Line Reprocessing.

**CSPI** recommends that **FSIS** establish quantitative pre-chill performance standards rather than qualitative standards (or "statistically significant reductions"), primarily because quantitative standards will ensure across-the-board consistency in pathogen reductions. If

instead qualitative standards are used, acceptable pathogen loads can vary among carcasses. Moreover, standards that are based on the degree of reduction, and particularly a modest degree of reduction, would not offer an adequate incentive for plants to control the incoming product – that is, to buy clean flocks.

Statements asserting that quantitative standards for on-line reprocessing would be command and control regulations are incorrect. FSIS is not proposing to dictate the methods by which the levels of pathogen reduction must be achieved, just the end result. Nor would quantitative performance standards be overly prescriptive or onerous, because on-line reprocessing is a voluntary program. If plants do not want to meet a pathogen reduction standard, they can elect not to participate in on-line reprocessing. It is not unreasonable, then, for the agency to set standards which would require all processors choosing reprocess contaminated carcasses on line to meet the same quantitative pathogen reduction standards."

**11. The Pre-Chill Performance Standards Should Be Set At the Lowest Achievable Level for Antimicrobial Treatments.**

CSPI believes that the success of the on-line reprocessing program will largely depend on the level at which FSIS sets the pre-chill performance standards. Even though the on-line reprocessing program will be voluntary, the importance of this proposal should not be underestimated, given that it represents the first time that **FSIS** will establish a pre-chill pathogen reduction standard.

Based on earlier submissions from Rhodia, Alcide and the National Chicken Council, the lowest achievable level of ***Salmonella*** prevalence would be 0.5 percent and ***E. coli*** prevalence would be 1.0 percent in fiozen samples.[5] **FSIS** has requested additional data be submitted to correlate previously submitted studies and to establish pathogen reduction in chilled (rather than frozen) samples. We understand that Rhodia will be submitting additional data to show pathogen reduction in chilled samples. We urge other groups and technology providers as well to submit additional data over the next few months. **After FSIS has carefully reviewed all of the new data, CSPI strongly encourages the agency to set on-line reprocessing performance standards at the lowest achievable levels of reduction for *Salmonella* and *E. coli* in chilled samples–whatever that level may be.**[6]

We believe that both types of available antimicrobial treatments would be capable of accomplishing these levels of pathogen reductions provided that the plants which are using these interventions are kept clean and are purchasing poultry fiom clean flocks. Furthermore, as FSIS indicates, other antimicrobial products are currently in development,[7] many of which may be able to meet or exceed the standards that CSPI is endorsing. Setting "lowest achievable" performance standards for antimicrobial treatments will encourage other companies to develop products that are equally effective and less costly.

Moreover, it would be unfortunate if FSIS chose to adopt a non-quantitative and/or less stringent pathogen reduction standard. Either regulatory approach might cause companies to abandon the more effective treatment technologies they are currently using, in favor of technologies that are less costly but also less effective. **As** a result, many of the much-heralded *Salmonella* reductions that have occurred as a result of the post-chill *Salmonella* standard in the FSIS Pathogen Reduction; Hazard Analysis and Critical Control Point (PR/HACCP) Rule[8] might be lost.

## 111. Carcasses Reprocessed Off Line Should Be Treated Before Chilling With An Antimicrobial Treatment.

***One*** of the important benefits of the use of antimicrobial treatments on carcasses is that it will help reduce cross-contamination in the chill tank. To further this end, CSPI believes firms that voluntarily participate in the on-line reprocessing program should be required to treat all carcasses, including those processed off line due to extensive contamination or mutilation, with the same antimicrobial interventions.

## IV. FSIS Should Establish A Performance Standard for *Campylobacter.*

CSPI and other members of the Safe Food Coalition have long advocated for ***Campylobacter*** standards for **poultry** plants.[9] Despite the fact that ***Campylobacter*** causes

millions of illness and thousands of hospitalizations each year, presently it is subject to no mandatory controls. And neither the government nor the industry are testing poultry products for this pathogen. FSIS states that it believes there are "insufficient data" to establish a ***Campylobacter*** standard at this time, echoing comments made by the National Advisory Committee for Microbiological Criteria for Foods about the "paucity of data on the relationship among ***Campylobacter,*** other microorganisms, and poultry."[10] Concern about the lack of data defining its relationships to other pathogens does not speak to the capability of, or need for, establishing a ***Campylobacter*** reduction standard. In light of the clear public-health impacts fi-om this pathogen, it is difficult to see how delay is justified for data collection that is not directly relevant. Therefore, CSPI strongly urges FSIS to move forward with establishing a performance standard for ***Campylobacter*** in poultry products.

FSIS should use the existing baseline data to formulate its pathogen reduction standard. Companies should be required to conduct systematic testing for ***Campylobacter,*** following an approach analogous to that in the *Salmonella* testing program, and to notify FSIS when levels exceed the standard. FSIS should conduct its own random sampling to verify the effectiveness of industry testing and to confirm industry results.

**FSIS** has indicated that it would set a ***Campylobacter*** standard only for on-line reprocessing;" however, the performance standard must be broadly applicable in order to achieve

true reductions in deaths and illnesses. Therefore, we believe that the establishment of a *Campylobacter* performance standard for on-line reprocessing should be viewed as the first step toward an industry-wide standard. In fact, ***Campylobacter*** standards may eventually be driven by international trade considerations, given that, for example, in 1997, the Dutch govemment required the poultry industry to reduce ***Cumpylobacter*** prevalence by 15 percent.[12] According to some reports, they may eventually set a zero tolerance standard for ***Campylobacter*** in poultry.[13]

## Conclusion

**CSPI** is pleased that **FSIS** has issued a proposed rule that we believe can lead to a significant reduction in the presence of ***Salmonella*** and other pathogens in poultry. We endorse quantitative pre-chill performance standards for on-line reprocessing set at the lowest achievable level for antimicrobial treatments. According to current, publicly available data, this would be ***0.5*** percent for ***Salmonella*** and 1.0 percent for *E. **coli*** spp. in frozen samples but we urge industry to submit additional data on chilled poultry samples to M e r guide the agency. Further, **CSPI** believes that, for on-line reprocessing to be fully effective, all carcasses--including those reprocessed off line--should be treated with an antimicrobial intervention prior to chilling. Finally, we strongly urge **FSIS** to establish **a** performance standard for ***Campylobacter*** for poultry produced with on-line reprocessing, as a first step toward setting an industry-wide performance standard.

**Sincerely,**

Charlotte Christin

**Charlotte Christin**
Food **Safety Attorney**