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G. J. Cocoma

Mr. Thomas Billy
Administrator FSIS
USDA
Room 331-E
14th & Independence Ave., SW
Washington, DC 20250

Re: Listeria monocytogenes Policy

Dear Mr. Billy,

In the Listeria meeting last week Phil Derfler's comments on S -18 recall legislation modification suggested to me a possible initiative that could be pursued by the agency. The need for recall legislation is not the subject of this letter. I do, however, agree with the industry position that the agency presently has sufficient authority and persuasive powers to invoke recalls at will. The record supports this position. The language proposed by Phil that would allow regulatory action on evidence of a threat to public health instead of on isolation of an adulterating microbe needs to be further explored in light of the following.

Thirteen types of Listeria monocytogenes (LM) have been identified but only 3 types have been have been associated with illness or deaths and thus determined to be pathogenic to man. (See the Cornell paper presented at the meeting.) If the above language were policy, implementation would be quicker than legislation, only the presence of any one of the 3 virulent strains of LM would require regulatory action.

The technology developed to identify pathogenic strains and linkage of sporadic illness can also be used to minimize regulatory actions to pathogenic strains of LM product contamination.

It is requested that present adulteration policy of the agency be modified from the presence of any LM in product to the presence of those strains of LM that have been identified as threats to human health. This modified policy would recognize the ubiquitous nature of the LM organism but focuses on the pathogenic strains. This modified policy would be in concert with FSIS' E. coli O157:H7 policy that requires regulatory action only on the pathogenic strain of the ubiquitous E. coli organism.

By adopting a policy that reacts only to the pathogenic strains of LM, both the industry and agency would be devoting resources to actual threats and a reduction in actual public heath threats.

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The industry in general and the companies that I work with are fully committed to the safety of their products. Their efforts to improve food safety performance are through HACCP and sanitation programs that focused on the process of producing safe products. FSIS's adoption of a LM policy to focus regulatory action based on pathogenic strain determination would be an appropriate and beneficial step in the present difficult and sensitive environment.

Sincerely,

G. J. Cocoma