



Constituent Update

Protecting Public Health Through Food Safety and Food Defense

House Recommends Budget Cuts for FY 2012

On June 16, the U.S. House of Representatives narrowly passed H.R. 2112, its version of the FY 2012 Agriculture Appropriations Act. The bill, which is not yet law, would provide \$973 million for FSIS, a decrease of \$35 million below the FY 2011 level. This bill funds all USDA and FDA programs.

Regarding the decrease in funding, the House Appropriations Committee wrote, “The recommendation includes nearly \$20 million in efficiencies and reductions as requested in the [President’s] budget. [This] may force FSIS to make some choices about the staffing levels that are currently maintained at district and headquarters offices, but the funding level ensures that inspection and sampling activities will be carried out uninterrupted.”

The House, led by Agriculture Appropriations Subcommittee Chairman Jack Kingston (R-GA), expressed support for USDA food safety efforts, urging the Administration to “take the necessary steps against [non-O157 *E. coli* serotypes] to protect the public health”; directing FSIS to continue to enforce humane handling and slaughter; and urged USDA to expand the “safer and science-based” HACCP Based Inspection Model Project, which is currently in place in 20 FSIS-inspected poultry slaughter facilities.

The FY 2012 agriculture appropriations bill must be considered by the Senate before it becomes law.

United States
Department of
Agriculture

Food Safety and
Inspection Service

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Export Requirement Updates



The Library of Export Requirements has been updated to reflect changes in export requirements for the following countries:

Colombia

Russia

Complete information can be found at www.fsis.usda.gov/Regulations_&_Policies/Export_Information/index.asp.

FSIS Constituent Update is prepared by the Congressional and Public Affairs Office.

Office of Public Affairs and Consumer Education

Acting Assistant Administrator
Lisa Wallenda Picard

Executive Staff
Carol Blake, CPA Director
Greg DiNapoli, Deputy Director

Editor
Ndidi A. Mojay

Assistant Editor
Alexandra Tarrant

Editor-at-Large
Joan Lindenberger

FSIS Releases First Quarter *Salmonella* Report

This week, the agency posted to its website the first quarterly progress report of calendar year (CY) 2011 on *Salmonella* testing of selected raw meat and poultry products.

This report provides preliminary data from January to March 2011 on all establishments eligible for *Salmonella* testing that have completed at least two sampling verification sets since June 2006.

As of March 2011, 85 percent of all establishments in all product classes are in Category 1, which illustrates no change from fourth quarter CY10.

From 171 broiler establishments, 1,262 samples were analyzed with a 6.7 percent positive rate, down from a positive rate of 9.5 percent in fourth quarter CY10. This table lists percentages of broiler establishments by category as of March 2011.

Plant Category	Category 1	Category 2T	Category 2	Category 3
Percentage of Broiler Establishments	87	5	7	1

FSIS continues to post monthly the names of broiler establishments demonstrating variable or inconsistent process control. The agency highlights performance for the broiler class because of its negative impact on foodborne illness.

Since April 2008, FSIS has posted Category 2 and Category 3 broiler carcass establishment names. FSIS is not currently posting names for turkey carcass establishments because this product class is meeting the criteria of at least 90 percent of all establishments in Category 1 and no establishments in Category 3.

FSIS will continue to post monthly the names of poultry establishments demonstrating variable or inconsistent process control. The complete report and program details are at www.fsis.usda.gov/Science/Quarterly_Salmonella_Results/index.asp.

PHIS Update

FSIS previously announced that it would be implementing the import function of the Public Health Information System (PHIS) in June 2011.

As a result of a delay in implementation of the domestic functions of PHIS nationwide, FSIS will also postpone the implementation of the PHIS import function.

FSIS will continue to provide up-to-date information related to PHIS on the FSIS website, which can be accessed at www.fsis.usda.gov/PHIS/index.asp. FSIS will also provide further guidance and information regarding the PHIS import function prior to implementation. Look for additional details about PHIS in future issues of the *Constituent Update*.

Updates on FSIS Testing for *E. coli*

Weekly updates for the agency's raw beef *E. coli* sampling program are posted to the FSIS website.

For comparative previous and current year results, go to www.fsis.usda.gov/Science/Ground_Beef_E.coli_Testing_Results/index.asp.

Undercover Investigation Results in Guilty Plea

The U.S. Attorney for the Southern District of Florida, along with FSIS, this week announced that Mauret Curbelo, 37, of Hialeah, Fla., pled guilty yesterday in federal court to charges stemming from his involvement in the inhumane slaughter of swine and the sale of uninspected and adulterated swine meat for human consumption, in violation of the Humane Methods of Slaughter Act and the Federal Meat Inspection Act (FMIA).

Curbelo entered the guilty plea before U.S. District Court Judge Joan A. Lenard. Curbelo faces a possible term of imprisonment of up to 3 years on each of the two counts, a fine of up to \$250,000 per count and a term of supervised release of up to 1 year per count.

According to a factual statement and other court records, Curbelo worked as the manager of Danilo Ranch in Hialeah. Curbelo was responsible for the day-to-day management and oversight of the ranch activities, and engaged in the slaughtering, processing, handling, storing and selling of meat and meat food products for human consumption, including swine. Curbelo admitted to knowingly distributing and attempting to distribute swine, as intended for use as human food, in June 2010, without the swine first being inspected, as required by the FMIA.

Curbelo also admitted that on June 26, 2010, he directed the sale of a live pig to USDA undercover investigators who were investigating the inhumane slaughter and uninspected distribution of meat and meat products for human consumption from the Danilo Ranch. The pig was dragged from a pen, by its rear legs and then slaughtered with a large knife to the chest without first being rendered insensible to pain. The animal was then left to die by exsanguination. Curbelo admitted his involvement in the slaughter and handling of this swine. FSIS was commended for its role in the investigation. Curbelo is expected to be sentenced on August 29.

A copy of a press release announcing the plea may be found on the U.S. Attorney's website for the Southern District of Florida at www.usdoj.gov/usao/fls. Related court documents and information may be found on the website of the District Court for the Southern District of Florida at www.flsd.uscourts.gov or on <http://pacer.flsd.uscourts.gov>.

FSIS Policy Updates

FSIS issues notices and directives to protect public health. The following policy updates were recently issued:

Notice 25-11, *Sampling of Low Production Volume Raw Ground Beef Establishments for Salmonella and E. coli O157:H7.*

All notices and directives are available at www.fsis.usda.gov/Regulations_&

Catfish Public Meeting Transcripts Available

FSIS held two public meetings last month (May 24 and 26) to hear public comments on the proposed regulation for a mandatory inspection program of catfish and catfish products. (Visit www.fsis.usda.gov/OPPDE/rdad/FRPubs/2008-0031.pdf to review the proposed rule.)

Transcripts of the meeting are posted on the FSIS website at www.fsis.usda.gov/News_&_Events/past_events/index.asp.

Get Answers at *AskFSIS*

AskFSIS is a web-based technology and policy question-and-answer forum on topics such as exporting, labeling, inspection, programs and procedures.

In addition, *AskFSIS* offers Really Simple Syndication (RSS) feeds that link back to the Q&As. To view recently posted topics, visit <http://askfsis.custhelp.com/>.

2010 Nutrition Labeling Final Rule – Small Business Exemption 1

http://askfsis.custhelp.com/app/answers/detail/a_id/1566

2010 Nutrition Labeling Final Rule – Plant Selling Directly to Consumers

http://askfsis.custhelp.com/app/answers/detail/a_id/1569

2010 Nutrition Labeling Final Rule – Small Business Exemption 2

http://askfsis.custhelp.com/app/answers/detail/a_id/1572

2010 Nutrition Labeling Final Rule – Verifying Nutrition Information

http://askfsis.custhelp.com/app/answers/detail/a_id/1573

2010 Nutrition Labeling Final Rule – Required Format

http://askfsis.custhelp.com/app/answers/detail/a_id/1580

Condensation

http://askfsis.custhelp.com/app/answers/detail/a_id/1600

Tompkin Paper and Storage Temperatures

http://askfsis.custhelp.com/app/answers/detail/a_id/1601