

Texas Poultry HACCP Roundtable

August 18, 2005

Questions

1. In preparation for an EIAO audit, there seem to be a lot of NR's issued just prior to the audit. Is this to show that the establishment is not doing a good job or is FSIS trying to show the auditor that the plant is having issues?

Neither. There have been no instructions issued from the District to that effect.

2. While performing a SIS presentation check, is any contamination in the bird considered a nonconformance?

Yes

3. Will one piece of feed/corn prohibit the inspector from looking inside the bird?

No, these birds should be inspected and not hung back.

4. Should some common sense be used while performing these checks? In the SIS guidelines, what is considered reasonable and achievable standards?

Inspectors should follow the regulatory requirements and training materials provided by the Agency.

9 CFR 381.76 (a) states that optimum conditions must be maintained in order for the line to run at maximum speed. Conditions which affect line speeds include flock health, presentation, and contamination. (b)(3)(ii)(b) limits the maximum line speed to 70 birds per minute with the SIS-2 configuration.

Even though the inspectors are able to inspect birds with minimal amounts of contamination, their efficiency is impacted. Establishments must maintain process control when eviscerating carcasses and presenting them for inspection. Prior to the approval of on-line reprocessing, even minimally contaminated carcasses were removed for off-line reprocessing; thus inspector efficiency was severely impacted by even minimal amounts of contamination. SIS standards were written prior to the implementation of on-line reprocessing, and have not been rewritten.

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5. Can facility issues be addressed through the weekly exit conferences if it is not going to create an unsanitary condition which will result in product contamination? For example: paint flaking in hallway outside of the plant.

Establishments should work with local inspection and communicate their findings to inspectors. Establishments that are finding their own facility issues (which do not impact product, such as the example given) and correcting them should be allowed to do so.

6. Water use at the inspector stations are currently continuously free flowing water. Can the establishment place a water saving device at each Inspector station versus using the continuously free flowing water?

Establishments must meet the regulatory requirements of 381.36. If this can be done using a water saving device that does not impact inspector efficiency and is provided at a pressure suitable to remove feed, feces, gall, fat, blood, and other debris from the hands, then establishments may be able to use water saving devices. Establishments must work with their IICs in determining whether inspector efficiency is impacted, and whether the devices allow the inspectors to remove debris from hands and aprons.

7. If the circuit supervisor or visiting IIC finds a deficiency and has an inspector write an NR, why is the circuit supervisor's or visiting IIC's name not on the NR anywhere? This has happened quite a bit in the past 6 months and there have been occasions where the inspector actually documented that they (the inspector) found the deficiency when the circuit supervisor did. Why would the person who found the deficiency no want their name on the NR? This is not only happening with the circuit supervisor or visiting IIC, but also with regular IIC's at the plant.

The IIC in the establishment is responsible for regulatory enforcement. When the FLS is making a supervisory visit, it is not practical for them to write NRs. Documentation of regulatory noncompliance is the task of the IIC. If the IIC is not present during the finding, the FLS would be expected to write the NR. If the IIC observed the noncompliance, this would not be falsification. Would this not be falsification of records?

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8. Is there a difference in condensation and overspray? An example would be beaded water on a drip pan due to poor air circulation or beaded water on a drip pan from a chicken passing on an overhead line. In both cases the water is not dripping. A lot of NR's received for condensation are due to the second example, but the regulation cited has to do with adequate air flow, which is not causing the beading. What should be done with these types of NR's if the circuit supervisor is upholding the NR?

Regulatory noncompliance should be appropriately identified. Inspectors should determine the cause of overhead drips (condensation, ceiling leak, roof leak, etc.) because the source of the water may impact product disposition if product is involved.

Establishments have the right to appeal any NR that they receive. They may wish to pursue the appeal to the District level.

9. If an employee is washing down the floor and washes over birds that are on the floor, what should be done with those birds? Can they be reprocessed?

This should be addressed by the establishment. Establishments must meet all requirements of 416.15 and be able to support product disposition.

10. Recently our plant was told that giblets placed into condemn barrels cannot be placed into inedible containers (removed, separated, and placed). No explanation was given. Is there a regulation on this?

Product condemned by the inspector may not be removed for any purpose. Condemned product must be handled as per 9 CFR 381.95.

11. We do 'investigations' on any discrepancies on HACCP and SSOPs. If an EIAO looks at these 'investigations', will this put up any 'red flags'? 'Investigations' are done on any mistakes made by production control techs to explain what should have been written and to show that we recognize the problem.

EIAOs are looking primarily at the design of the food safety systems, and whether or not they meet all regulatory requirements. In-plant inspection should be looking at the implementation of the food safety systems, and whether the establishments are implementing their systems as written. "Investigations" as

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described above would not likely be “red flagged” by EIAOs during a food safety assessment.

12. Is there a time limit that an inspector can spend per piece of equipment during pre-op inspection?

Slaughter plants should be divided up into units. A unit is a space that can be inspected in 1 minute or less. Inspectors should spend one minute per unit. See FSIS Directive 5000.1 Attachment 1

13. If issues are addressed in an exit meeting and the plant informs USDA of what actions will be take and gives them an appropriate timetable, should an NR be issued before the plant has had time to address said actions?

It depends on the issue and the impact on public health/sanitary conditions. If the establishment is finding its own issues and proposing reasonable resolutions that will not impact product or sanitary conditions, inspectors should work with establishments.

14. Is there a certain percentage of NR's issued for a particular type of inspection that will trigger an audit?

FSIS does not perform “audits”. There are certain noncompliance percentages that will cause establishments to show up in either the DEWS (District Early Warning System) or the 5/50 report. Many factors are evaluated when determining where to schedule Food Safety Assessments or when to take regulatory enforcement action. Numbers are not the only factor.

15. 90% or more of our NR's are 06D01. Does this ‘red flag’ our plant?

If an establishment had a 90% noncompliance rate with the Sanitation Performance Standards, the establishment should be concerned about their ability to achieve regulatory compliance. Many factors determine which establishments are scheduled for Food Safety Assessments or regulatory enforcement action.