

UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND INSPECTION SERVICE
WASHINGTON, DC

FSIS NOTICE	51-09	7/31/09
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**ROUTINE SAMPLING AND TESTING OF BEEF MANUFACTURING TRIMMINGS
DERIVED FROM CATTLE NOT SLAUGHTERED IN THAT ESTABLISHMENT
(BENCH TRIM) FOR *ESCHERICHIA COLI* (*E. coli*) O157:H7**

I. PURPOSE

The purpose of this notice is to inform inspection program personnel (IPP) that they are to begin routine sampling of bench trim for *E. coli* O157:H7 when they receive a sample request form (FSIS Form 10,210-3) with the MT55 project code.

For purposes of this notice, bench trim is defined as beef manufacturing trimmings derived from cattle not slaughtered on site at the establishment. Such trim may include secondary trimming of primals and subprimals resulting in small or large pieces, or any other cuts designated for non-intact use. Such trim would not already be sampled under the current routine trim testing program or the routine testing program for other raw ground beef or patty components (MT50 and MT54).

II. SAMPLING FRAME

A. Establishments that produce bench trim derived from cattle not slaughtered on-site are subject to sampling under this program. Therefore, the sampling frame will include establishments that receive whole or half carcasses, primals, and boneless boxed beef that they use to produce bench trim.

B. If establishments produce trimmings from cattle slaughtered on site, they will continue to be subject to sampling under the MT50 program.

C. By August 31, 2009, IPP are to verify that the information gathered through the recent Performance Based Inspection System Establishment Profile Extension for Product Volume accurately indicates whether the establishment produces beef manufacturing trimmings, including bench trim, and includes volume information.

III. ESTABLISHMENT NOTIFICATION

A. As set out in FSIS Directive 10,010.1, Revision 2, dated 7/31/09, Chapter II, before collecting samples, IPP are to notify the management of the official establishment that they will be collecting a sample and are to provide enough notice for the establishment to hold the sampled lot should it choose to do so.

DISTRIBUTION: Electronic

NOTICE EXPIRES: 8/1/2010

OPI: OPPD

B. IPP are to inform the establishment management that it is responsible for supporting its basis for defining what product is represented by the sample (i.e., the sampled lot). The establishment can identify the sampled lot for bench trim as limited to the production lot of bench trim only, and not primal cuts or intact steaks and roasts, because the latter products would not be adulterated if positive for *E. coli* O157:H7.

NOTE: If an establishment produces bench trim from steaks or roasts that are non-intact or are to be made non-intact (e.g., they have been or will be needle tenderized), a finding that the bench trim is positive for *E. coli* O157:H7 would evidence that the steaks or roasts are also positive and thus adulterated. However, the establishment may have a supportable basis for distinguishing the steak or roast from the bench trim. For example, if the establishment applies an antimicrobial treatment to the steaks or roasts before tenderization, but not to the bench trim, the establishment may be able to support that the positive applies only to the bench trim.

C. At an establishment that produces bench trim and samples their product using the N60 sampling procedure, IPP may permit the establishment to reduce its lot size to one combo bin or other unit (e.g., box) on the day that they conduct sampling if the IPP find that the establishment:

1. has a validated intervention for *E. coli* O157:H7 at a critical control point (CCP) in its HACCP plan that covers the bench trim or requires that its suppliers to have a CCP where a validated intervention is applied to the source materials used to manufacture the bench trim; and

2. samples and tests every production lot of bench trim for *E. coli* O157:H7 and collects the samples across multiple combo bins or other sample units.

D. If an establishment meets the criteria in paragraph C. of this section and reduces its lot size to a single combo bin or sample unit when FSIS samples the product, IPP are to collect samples from the single combo bin or sample unit. If the establishment does not meet the criteria, IPP are to collect the sample from multiple bins following the N60 procedures in FSIS Directive 10,010.1, Revision 2, dated 7/31/09, Chapter IV.

IV. COLLECTING BENCH TRIM PRODUCT FOR SAMPLING

A. At establishments that produce bench trim derived from cattle not slaughtered on-site intended for use in raw ground beef product, IPP will sample the bench trim as follows:

1. If the establishment produces trim from derived from primals and subprimals resulting in large pieces , IPP are to sample product using the N60 sampling procedures in FSIS Directive 10,010.1, Revision 2, dated 7/31/09, Chapter IV.

2. If the establishment produces trim derived from primals and subprimals resulting in trim too small to be sampled using the N60 sampling procedure or produces trims derived from steaks, roasts or other cuts designated for non-intact use, IPP are to collect enough pieces to equal 2 pounds of product for sampling.

3. If the establishment produces both types of trim as described above, IPP are to sample only the product that can be sampled using the N60 sampling procedure.

4. If the establishment commingles both types of trim, IPP are to collect samples from the product that lends itself to N60 procedures.

NOTE: IPP are to collect bench trim under the MT55 code even if the establishment has mixed in trim from animals slaughtered on site.

B. In cases in which the establishment's records and HACCP documents are unclear about the intended use of the bench trim, IPP are to consider the product as intended for use in raw ground beef products and sample the product.

V. MAILING THE SAMPLE

A. IPP are to complete the appropriate boxes on the MT55 sample forms and mail all MT55 sample forms to the laboratories. If IPP cannot collect a sample within the 30 day window, they are to complete block 33 and send to the laboratory indicated in block 9.

VI. TEST RESULTS AND ENFORCEMENT ACTIONS

A. IPP will receive test results as set out in FSIS Directive 10,010.1, Revision 2, dated 7/31/09, Chapter II.

B. Presumptive Postives

Because the laboratory confirms most "Presumptive Positives," IPP are to inform establishment management immediately that the sample is "Presumptive Positive." and to begin collecting the the information regarding the suppliers of the source materials used in the production of the product listed in FSIS Directive 10,010.1, Revision 2, dated 7/31/09, Chapter III, Section I. This information will be utilized in the event that the results are confirmed positive.

C. Collecting Supplier Information for Confirmed Positive

1. When an FSIS laboratory or another Federal or State entity confirms a sample is positive, IPP are to collect the information in paragraph B above from the establishment. IPP are to make note of any information that the establishment is unable to provide.

2. IPP are to follow the procedures for collecting information, and identifying originating slaughter suppliers, conducting HACCP 02 procedures at suppliers in FSIS Directive 10,010.1, Revision 2, dated 7/31/09, Chapter III, Section II. The DO is responsible for entering information into STEPS as set out in FSIS Directive, 10,010.1, Revision 2, Chapter III, Section II dated 7/31/09.

D. Originating slaughter establishments that were sole suppliers for bench trim that is positive for *E. coli* O157:H7 and establishments identified more than once in the past 120 days as a multiple supplier of bench trim found positive for *E. coli* O157:H7 will be subject to multiple follow-up sampling in response to the positive bench trimmings result. PAD is to determine whether IPP are to collect a single follow-up sample or multiple follow-up samples at supplier establishments. Based on information from PAD, the DO is to inform IPP of which type of source materials the establishment supplied to the bench trim facility, so that IPP can sample those source materials from the establishment's current production. The DO is to inform IPP to collect samples of the specific type of product (including specific primal or subprimal cuts, if applicable) used in the production of bench trim. IPP are to collect these samples using the N60 sampling procedures in FSIS Directive 10,010.1, Revision 2, dated 7/31/09, Chapter IV. If the originating supplying slaughter establishments produced more than one type of source material that the bench trim producer used, PAD will request the number of sample request forms (with the MT53 code) needed to allow collection of each type of source material.

E. PAD is to inform "Sampling Forms – Headquarters" mailbox of the supplying slaughter establishment(s), the form number of the MT55 positive, and number of MT53 forms needed to provide an adequate supply to IPP for collection of each type of source material as described in paragraph E above.

F. Basing enforcement actions on FSIS Test Results

1. If FSIS finds bench trim positive, and the establishment tested the product, IPP are to check establishment *E. coli* O157:H7 test results (see FSIS Directive [5000.2](#)) to determine whether the establishment also found the sampled product positive for *E. coli* O157:H7.

2. IPP are to follow the instructions in FSIS Directive 10,010.1, Revision 2, dated 7/31/09, Chapter III, Section III, for issuing NRs and conducting HACCP 02 procedures at the establishment that produced the positive bench trim. IPP are to follow the procedures in FSIS Directive 10,010.1, Revision 2, dated 7/31/09, Chapter III, Section IV, for verifying that the establishment properly disposed of the product if product was sent off site for disposition.

VII. Multiple Follow-up Samples at Establishments That Have Product That Tests Positive For *E. coli* O157:H7 and at Slaughter Supplier Establishments

A. Producing Establishment

If FSIS or another Federal or State entity finds bench trim derived from cattle not slaughtered at the establishment to be positive for *E. coli* O157:H7, IPP will receive 16 follow-up sample request forms (with the MT53 code) to sample product from the establishment that produced the positive product under MT55. The positive MT55 form number will be on the MT53 form. Upon receipt of the multiple follow-up forms at the bench trim producer, IPP are to begin collecting samples from lots produced after the FSIS positive product finding, if the establishment resumes production. IPP are not to

wait until the establishment completes corrective actions required under 9 CFR 417.3. If the establishment is producing product, IPP are to sample the eligible product produced.

B. Suppliers

IPP at originating slaughter supplying establishments that supplied product used to produce bench trim subject to sampling under this notice that FSIS finds positive will receive 16 follow-up sample forms (with the MT52 code) to sample source materials used to produce the positive product.

C. Follow-Up Sampling Procedures

1. At low volume establishments (establishments that produce less than 1,000 pounds per day of product in question), IPP are only to submit 8 samples and mail the remaining 8 follow-up forms with the last sample collected.

2. IPP are to collect 8 samples for low volume establishments or 16 for all other establishments, at the daily and weekly frequencies in FSIS Directive 10,010.1, Revision 2, dated 7/31/09, Chapter III, VI. and are to follow the procedures for submitting samples and returning unused forms in Directive 10,010.1, Revision 2, dated 7/31/09, Chapter III, Section VI.

3. If IPP need sampling supplies for follow-up sampling, they are to request them via e-mail at least 72 hours before sampling is to begin. IPP are to e-mail the laboratory identified in block 9 of the FSIS Form 10,210-3. In addition, IPP are to include the follow-up sampling project number (MT53 at the bench trim producer and MT52 at the originating slaughter supplier establishment);

4. During the period that IPP are conducting follow-up sampling for *E. coli* O157:H7, they may receive a routine sample request form for testing of product for *E. coli* O157:H7. In this situation, IPP are to continue to collect follow-up samples and are to make follow-up sampling the priority, rather than routine sampling. IPP are to collect the samples for routine testing within the allotted 30 days if they are able to do so based on their workload and the establishment's production practices. IPP are not to collect follow-up samples and routine samples from the same lot. If IPP are not able to collect the routine samples, he or she should select box 53 and state that the IPP did not collect the routine samples because of follow-up sampling mail the form to the laboratory indicated in block 9 of FSIS Form 10,210-3.

5. If IPP receive requests to conduct follow-up sampling under more than one sampling code or receive requests to sample product under the same sample code repetitively, they are to collect all samples.

VIII. DO AND EIAO RESPONSE TO POSITIVE RESULTS

A. Within 30 days after being notified that FSIS or another Federal or State entity has found bench trim positive for *E. coli* O157:H7, the DO is to schedule an Enforcement, Investigations, and Analysis Officer (EIAO) to conduct a food safety assessment (FSA) at the establishment at which the positive was found and is to determine whether to schedule FSAs at originating slaughter suppliers following the instructions in FSIS Directive 10,010.1, Revision 2, dated 7/31/09, Chapter III, Section XI. The DO is also to follow the instructions for considering additional sampling and taking enforcement actions in FSIS Directive 10,010.1, Revision 2, dated 7/31/09, Chapter III, Section XI.

IX. DATA ANALYSIS

On a quarterly basis, headquarters staff will analyze the number of samples scheduled, the number of samples shipped, the number of samples analyzed, and the number of positive samples. The data will be analyzed to determine trends (e.g., geographical, seasonal and annual trends) in *E. coli* O157:H7 percent positive results and to inform future FSIS policies. This analysis will be forwarded to the Office of Field Operations, Assistant Administrator and other interested program areas.

Refer questions regarding this notice to the Risk and Innovations Management Division through askFSIS at <http://askfsis.custhelp.com> or by telephone at 1-800-233-3935 (press 1 and 4).



Assistant Administrator
Office of Policy and Program Development