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

# FSIS DIRECTIVE	5010.1	1/7/10

FOOD SAFETY RELATED TOPICS FOR DISCUSSION DURING WEEKLY MEETINGS

I. PURPOSE

FSIS has become aware that inspection program personnel (IPP) and Import Inspection Personnel are not discussing at the weekly meeting many topics that are pertinent to an establishment's food safety system and that could affect public health. In response to this situation, FSIS is issuing this directive to stress the importance of the weekly meetings and the need for those meetings to address any pertinent topics related to food safety. To assist IPP and Import Inspection Personnel, this directive provides a general list of food safety related topics that they should consider discussing with the establishment during weekly meetings.

II. [RESERVED]

III. [RESERVED]

IV. REFERENCES

FSIS Directive 5000.1, Verifying an Establishment's Food Safety System

V. WEEKLY MEETING

A. The purpose of the weekly meetings is to provide an opportunity for IPP and Import Inspection Personnel to bring matters that bear on the establishment's on-going compliance with FSIS requirements to the attention of establishment management. These meetings should benefit both inspection personnel and the establishment. However, discussion of issues during the weekly meeting is not intended to replace documentation of noncompliance. Moreover, the fact that an issue is not discussed at the weekly meeting would not mean that the issue could not become the subject of a noncompliance record.

B. As set out in FSIS Directive 5000.1, Verifying an Establishment's Food Safety System, IPP and Import Inspection Personnel conduct weekly meetings with establishment management to discuss topics that could affect food safety and the establishment's ability to meet regulatory requirements.

C. These weekly meetings are an opportunity for establishments to share information regarding their operations, such as facility improvements and changes to their food safety systems.

D. A wide variety of topics can be discussed at the meetings, including individual noncompliances, developing trends of noncompliance, and findings by IPP and Import Inspection Personnel that do not represent regulatory noncompliance but that need to be brought to the attention of the establishment. For example, discussion of information from external sources, such as customer or consumer complaints, can provide information to alert plant management about a safety risk or about other information that is relevant to the establishment's food safety system.

E. The list in paragraph F., below, provides examples of topics that IPP and Import Inspection Personnel may find appropriate for discussion at the weekly meetings. Given the range of the issues confronting FSIS-regulated establishments, it may be difficult to discuss all of the topics that either FSIS or the establishment wishes to address during any one weekly meeting. Therefore, these topics should be discussed as they arise. The list below is not all-inclusive. What is most important is that IPP and Import Inspection Personnel communicate with the establishment about any topics involving the establishment that relate to food safety issues and that could affect public health.

F. Possible topics for discussion include:

1. In-plant observations, including, but not limited to:

    a. Individual Noncompliance Records (NR);

    b. Developing trends of noncompliance (i.e., noncompliances that are somehow associated with or indicate a trend of noncompliance);

    c. FSIS findings that do not rise to the level of noncompliance but that warrant discussion (e.g., less than perfect conditions that may, if not addressed, become noncompliances);

    d. Humane handling issues, including those that do not rise to the level of noncompliance but warrant discussion; and

    e. Issues related to the implementation and verification of Less Than Daily Sanitation procedures.

2. Issues and information that the establishment wishes to share;

3. Agency issuances. For example, but not limited to:

    a. Policy clarifications published in askFSIS;

    b. New, revised, or amended FSIS Directives or FSIS Notices;

    c. New, revised, or amended FSIS Compliance Guides;

    d. New, revised, or amended import policies;

    e. New Policy Points PowerPoint presentations that promote a uniform understanding of FSIS issuances

    f. Small and very small plant outreach information; and

    g. Updated FSIS policy presented in the Constituent Update

4. Information regarding FSIS sampling:

    a. Results received through STEPS and LEARN;

    b. *E.coli* O157:H7 results, also available through the Constituent Update, posted on the Microbiological Testing Program for *E*.coli O157:H7 website;

    c. *Salmonella* results, also available through the Constituent Update, posted on the Salmonella Verification Testing Program: Monthly reports for Establishments by Performance Category website;

    d. Notification through LEARN of violative residue sample results, or import port of entry sample violations and information posted on the Residue Violators List; and the Same Source Supplier List

    e. Need to submit FSIS Form 10,240-1 on a yearly basis and discussion of the information called for by the form.

5. Information related to the establishment's food safety system. For example, but not limited, to:

    a. Implementation of, and changes to, any of the establishment's prerequisite programs (e.g., Allergen controls, Specified Risk Materials, Certificates of Analysis) that are in place to support food safety decisions;

    b. Changes to the establishment's product line, processing methods used, or other changes such as product flow, equipment configuration , or

treatment of product, which could impact the establishment's food safety system;

c. New Technology Summaries (i.e., "No Objection" letters), available through the FSIS Intranet, that may help the establishment improve food safety. This discussion would include a mutual understanding of specific process parameters or critical limits that are part of these "no objection" letters;

d. Changes in in-plant regulatory waivers or new technology trials; and

e. Changes to facility or equipment.

6. Information from external sources such as:

a. Complaints from consumers or establishment customers (e.g., institutions such as hospitals or nursing homes, restaurants, schools, grocery stores, distributors, or wholesalers); and

b. Current Recalls, including those that have involved product received by the establishment, product similar to product produced by the establishment, or product held for re-inspection by FSIS at an import establishment. Further areas for discussion may include:

i. Any required follow-up FSIS testing or increased or intensified testing on imported products;

ii. Any establishment testing (e.g., hold-and-test) or voluntary hold and test requirements for imported products;

iii. Any planned actions associated with the recalled product that has been received by the establishment; and

iv. Discussion with plant management regarding how it can use information from recalls of products similar to those produced at the establishment as a mechanism to improve its own operation.

7. Any inspection related activities occurring outside of approved hours of operation (e.g., request for overtime or an inspector becoming aware of activities that occurred after the approved hours).

VII. PREPARING THE MEMORANDUM OF INTERVIEW (MOI)

A. The FSIS employee who attends the weekly meeting is to take notes of the meeting and is to document those notes in a Memorandum of Interview (MOI) in accordance with the instructions in FSIS Directive 5000.1 in meat, poultry and import establishments and in accordance with the policy addressed in FSIS Notice 41-09 in egg products plants.

B. When an establishment has multiple inspection shifts, the SPHV IIC, or the Frontline Supervisor or a designee, or the Regional Import Field Supervisor, will designate the FSIS employee who is to conduct the meeting. IPP and Import Inspection Personnel are to work together to ensure that the person designated to conduct the meeting has all the information and documentation needed for a productive meeting.

C. IPP and Import Inspection Personnel are to maintain a copy of the MOI in the official government file and provide a copy to the plant management.

NOTE: Establishments occasionally express concern regarding the information that is included in the MOI. IPP and Import Inspection Personnel are to explain to establishment management that the Freedom of Information Act (FOIA) provides access to almost all Federal agency records or portions of them, except for those that are protected from disclosure by legal exemptions and exclusions. The Agency's openness to provide information is balanced with the public's interest in preserving the privacy and confidentiality of sensitive, personal, and commercial information, the integrity of the government's decision-making process, and the secrecy of law enforcement proceedings. Therefore, there are some documents or portions of documents that are protected by law from release to the public. Thus, requestors may not always receive the records that they ask for or may receive documents with portions deleted.

In addition, if an establishment objects to any part of the MOI, IPP are to document the objection at the end of, or as an attachment to, the MOI. If the establishment's objections are in writing, IPP are to attach the written objection to the MOI. IPP have no obligation to resolve any issues raised in the objection but are to acknowledge the receipt of the objections by including them with the MOI. FSIS is to provide a copy of the amended MOI to the establishment.

Refer questions regarding this directive to the Policy Development Division through askFSIS at http://askfsis.custhelp.com or by telephone at 1-800-233-3935 or to appropriate Regional Field Import Supervisor.

Assistant Administrator
Office of Policy and Program Development