

FSIS response to Agri-Pulse for line speed story (10/2/2018)

1. For many years, FSIS has evaluated and granted waivers from its regulations to industry. FSIS regulations include provisions for these waivers. This process for granting waivers has not changed. In an effort to ensure complete transparency, the agency is choosing to publicly announce the criteria by which we will review line speed waivers, so there is no question about how the agency makes its decisions.

To be eligible for a line speed waiver, a young chicken establishment:

- Must have been operating under the NPIS for at least one year, during which time it has been in compliance with all NPIS requirements;
- Must be in *Salmonella* performance standard category 1 or 2 for young chicken carcasses;
- Must have a demonstrated history of regulatory compliance. More specifically, the establishment has not received a public health alert for the last 120 days; has not had an enforcement action as a result of a Food Safety Assessment (FSA) conducted in the last 120 days; and has not been the subject of a public health related enforcement action in the last 120 days; and
- Must be able to demonstrate that the new equipment, technologies, or procedures that allow the establishment to operate at faster line speeds will maintain or improve food safety.
- Must also have not had an NR [noncompliance record] for violation of GCPs (9 CFR 381.65(b)) in the past 120 days.

Additional detail is provided in the *Federal Register* notice.

2. FSIS' poultry slaughter risk assessment was not designed to determine the effect of line speeds. The evaluation of the 2014 poultry inspection rule will begin once FSIS approves an establishment's waiver and evaluates its ability to maintain process control at higher line speeds and to compare against data from the former HIMP young chicken establishments also operating under line speed waivers. The data will ultimately be used to inform future rulemaking, if warranted.

3. FSIS does not have a privatized inspection system. The plants that have converted to NPIS have not failed FSIS' *Salmonella* performance standards at a rate greater than non-NPIS plants. Some components of FSIS' modernization of poultry inspection are mandatory for every poultry facility – in other words it has nothing to do with NPIS, which is optional.