

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF AGRICULTURE

### Food Safety and Inspection Service

#### 9 CFR Chapter III

[Docket No. 95-026N]

#### Redesigning FSIS for the Future: Roles, Resources, and Structure

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Notice.

**SUMMARY:** As part of its overall initiative to improve the safety of meat and poultry products and better protect consumers, the Food Safety and Inspection Service (FSIS) is conducting a "top-to-bottom" review of the Agency's regulatory roles, resource allocation, and organizational structure. The review is intended to ensure that the Agency is making the best possible use of its resources to achieve its food safety and consumer protection goals, consistent with its new food safety strategy and budget realities.

**ADDRESSES:** For comments, send an original and two copies to the FSIS Docket Clerk, Room 4352, South Agriculture Building, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC 20250. Comments are welcome on a continuing basis.

**FOR FURTHER INFORMATION CONTACT:** Jeanne Axtell or John McCutcheon, Top-to-Bottom Review Coordinators, Food Safety and Inspection Service, U.S. Department of Agriculture, Room 350-E, Administration Building, Independence Ave., Washington, DC 20250, (202) 720-3521 or (202) 720-2709, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

##### FSIS's Food Safety Strategy

FSIS is pursuing a broad, long term science-based strategy to improve the safety of meat and poultry products and better protect public health. The strategy includes proposed requirements for all federally inspected meat and poultry

establishments to reduce pathogenic microorganisms that can cause foodborne illness. The proposal, "Pathogen Reduction; Hazard Analysis and Critical Control Point (HACCP) Systems" (60 FR 6774-6889, published February 3, 1995), would require implementation of mandatory HACCP programs in meat and poultry establishments, would set interim targets for pathogen reduction in slaughter establishments and require microbial testing to meet those targets, and would require establishments to implement three near-term food safety interventions.

The goal of the proposal is to reduce the risk of foodborne illness associated with meat and poultry products to the maximum extent possible. The industry would be required to adopt procedures that systematically prevent food safety hazards and to meet food safety performance standards. The changes would improve FSIS's capacity to hold industry accountable for following preventive procedures and for meeting appropriate food safety standards.

The FSIS food safety strategy will require change in meat and poultry establishments, but it will also require change within FSIS. The Agency is conducting a total review of its food safety regulations to bring them into accord with the HACCP principles reflected in the regulatory proposal. The goal of this review is to eliminate unnecessary "command and control" regulations that spell out in minute detail how establishments must operate. FSIS believes it is preferable to set performance standards based on current science and, within the context of HACCP and the philosophy of prevention, allow the industry to decide how it can best meet the standards. This shift will encourage industry innovation to improve food safety and eliminate unnecessary requirements and regulations.

The Agency is also reviewing all of its systems for prior approval, such as those for facilities, equipment, and processing changes, to consider eliminating, streamlining or modifying them. This activity is necessary to ensure that legitimate oversight obligations are met without delaying the introduction of beneficial new technologies or requiring unproductive expenditure of efforts by FSIS or the industry.

#### Top-to-Bottom Review of Roles, Resources, and Structure

To achieve its food safety and consumer protection goals, FSIS must also ensure it is making the best use of its resources to carry out its responsibilities under a HACCP-based strategy that recognizes food safety must be addressed from farm to table. Less emphasis will be placed on the policing of detailed command and control requirements. More emphasis will be placed on verifying that industry has implemented HACCP and is achieving food safety performance standards. In addition, FSIS regulatory roles outside the currently inspected meat and poultry establishments will expand. The fundamental paradigm shift embodied in this food safety strategy, coupled with the reality of very tight government budgets, compels FSIS to critically review and, where necessary, change its regulatory roles, resource allocation, and organizational structure.

The purpose of the top-to-bottom review is to define for the future the Agency's regulatory roles, resource allocation, and organizational structure in a manner consistent with the goals and strategies of the Pathogen Reduction/HACCP regulation.

For the purposes of the review, FSIS will assume no major change in resources and no major changes in the current statutory mandates under which the Agency operates. FSIS recognizes that these variables are always subject to Congressional review and change, but the Agency also recognizes its urgent obligation, within its current resources and statutory structure, to improve food safety. Improving food safety requires a hard look at how FSIS does its job, and it requires answering three broad questions.

- What should be the Agency's regulatory roles and what are the skills needed to carry out these roles?
- How should the Agency's resources be allocated to best meet its food safety objectives and other responsibilities that fall under FSIS's legislative mandate?
- How should the headquarters and field structures be organized, in light of FSIS's new food safety strategy, to carry out the Agency's mission most effectively and efficiently?

To answer these broad questions and make practical recommendations for change, the review has been organized