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Re: Proposed Framework for Controlling Salmonella in Poultry – Docket No. FSIS-2022-0029

The American Pastured Poultry Producers Association (APPPA) respectfully submits these comments about the Proposed Regulatory Framework for an enforceable Salmonella PRODUCT Standard. As an organization that represents several small, and very small USDA poultry plants, APPPA finds the proposed framework to be a significant barrier to member business viability. It discriminates against small producers and processors who do not have the resources to handle additional regulatory compliance costs. At a time when the USDA has pledged to enhance and secure local and state level processing to promote a resilient supply chain, this proposal is especially onerous.

Under this proposed regulatory framework for reducing human infections from poultry by the USDA, we have some questions in reference to the Targeted Infection Rate (TIR), the Current Infection Rate (CIR), and the calculations for each as it pertains to the scope of the issue.

According to the proposed document:

- The TIR is ≤ 11.5 cases per 100,000 per year ($\leq 11.5/100K$),
- In order to reach the TIR, it's necessary to reduce the CIR by 25%.
- CIR is currently 15.3/100K laboratory-diagnosed infections per year¹.

If we estimate that the total number of U.S. poultry consumers is 330 million, that means we have 50,500 cases/infections annually from any and all causes. The data shows that <23% of all cases are due to poultry, which gives us an estimated 12,500 cases per year due to poultry.

If our goal is to reduce the CIR by 25%, we are looking at approximately 3,000 cases total. It seems like a great deal of effort to reduce a very small number of cases. We believe safe handling education would be more effective at making these reductions.

Our question, however, lies in the “Proposed Framework for Controlling Salmonella in Poultry” where FSIS indicates that the number of cases has not changed and has remained at 1.35

¹ “Reduce infections caused by Salmonella — FS-04,” U.S. Department of Health and Human Services, <https://health.gov/healthypeople/objectives-and-data/browse-objectives/foodborne-illness/reduce-infections-caused-salmonella-fs-04>.

million estimated infections per year according to Centers for Disease Control estimates². The infection per year has remained unchanged despite a 50% reduction in the rate of salmonella detected by FSIS over the last two decades.

In order to clearly understand the true scope of the situation, we ask for clarification on the discrepant data presented:

- A. The Healthy People Initiative shows **50,500** all-cause illnesses from Salmonella per year, vs.
- B. The CDC data shows **1,350,000** all-cause illnesses from Salmonella per year.

The CDC's estimate is 26 times greater than the Healthy People Initiative's estimate of Salmonella illnesses by all causes per year in the United States. The discrepancy is clearly significant. As we look at the scope of the changes proposed, and the potential ramifications it will have on the USDA inspection processes, poultry producers, poultry, the industry, and consumers, we respectfully request that the Salmonella-related illness data be resolved between the CDC and the Healthy People Initiative prior to any decision making and/or establishment of quantitative illness-reduction goals.

Please read below for specific comments for each component of the framework.

Component 1 - Requiring incoming flocks to be tested for Salmonella before entering the establishment

Salmonella is a naturally occurring microbe in our environment and in all poultry. The zero-tolerance standard previously proposed by FSIS has never been viable given that we do not live in a sterile world. Even a quantitative standard asks farmers and establishments to adhere to limits that are not reasonably attainable without toxic chemical interventions that have their own human health implications. Testing flocks before they enter an establishment adds delays and costs that small operators cannot afford. Will FSIS be testing hatcheries for Salmonella so that chicks that are sent to operations be certified Salmonella free? Studies have found that the most pathogenic serotypes of Salmonella originate at the hatchery in nearly all cases³. If a flock has Salmonella present, will that lead FSIS to condemn flocks that are over a certain limit? Because Salmonella is a naturally occurring organism that can easily be controlled by appropriate cooking, APPPA members believe that the significant funds set aside for this initiative could be better spent educating the public on how to cook poultry to a safe temperature.

² "Salmonella," Centers for Disease Control, <https://www.cdc.gov/salmonella/index.html>.

³ Russell, Scott M. *Controlling Salmonella in Poultry Production and Processing*. (Boca Raton: CRC Press, 2012).

Component 2 - Enhancing establishment process control monitoring and FSIS verification

APPPA member establishments already spend a great deal of time and money on monitoring and all of us have verified that our process is under control according to regulations (or we would not be operating!). Part of that control includes the safe handling standards printed on every label. Since Salmonella is a non-regulatory organism (see Supreme Beef v. USDA case), it is particularly difficult to justify the time and expense to enhance monitoring. Most small and very small plants are operating on very small margins with ever increasing labor and supply costs. This framework will have the unintended consequence of putting many small operators out of business, especially if the farms they serve also have to meet a Salmonella standard as well. Given that the framework goal is to reduce poultry related infections nationally by 3000 cases per year, we feel this is a great deal of effort on a national scale to reduce infections by 0.22% of the total US infections per year. Again, a focus on safe handling education would make up for more than this reduction.

Given that the USDA has reduced Salmonella by 50% over the last decade, but and resulting infections have not changed, it simply does not follow that further Salmonella reduction efforts will have any effect on human health. Is there data on safe handling use after poultry leaves the plant? Is there education and outreach that can be done to make sure that restaurants, stores, and institutions are using safe handling techniques effectively?"

Component 3 - Enforceable Final Product Standard

APPPA maintains that Salmonella cannot be considered an adulterant in poultry because it is a naturally occurring organism in all poultry. As stated previously, it can easily be controlled by cooking and does not present a significant threat to human health if used properly. This is settled law (see Supreme Beef case). Even though the USDA has no legal standing to require Salmonella control, USDA inspectors still require plants to do testing of young chicken as a way to show process control. To enforce a final product standard is clearly beyond the legal mandate of the Food Safety and Inspection Service. We ask that the USDA remove this from the proposal.

Sincerely,

American Pastured Poultry Producers Association (APPPA)