Approved: 2-11-97
Date

MINUTES OF THE SENATE COMMITTEE ON AGRICULTURE.

The meeting was called to order by Chairperson Steve Morris at 10:00 a.m. on February 5, 1997 in Room 423-S of the Capitol.

All members were present except: Senator Christine Downey (E)
Senator Don Sallee (E)

Committee staff present: Raney Gilliland, Legislative Research Department
Jill Wolters, Revisor of Statutes
Nancy Kippes, Committee Secretary

Conferees appearing before the committee:
Allie Devine, Secretary, Department of Agriculture
Dr. Joseph E. Beuerlein, Program Manager, Division of Inspections
Curtis Chrystal, Director, Division of Agricultural Products Development of the Department of Commerce and Housing

Others attending: See attached list

The meeting was called to order at 10:10a.m. by Chairperson Morris. He announced that policy and procedures would remain the same as during Senator Corbin's chairmanship. Chairperson Morris announced the schedule of meetings for next week.

Allie Devine, Secretary of the Department of Agriculture, introduced Dr. Joseph Beuerlein, Program Manager for the Division of Inspections, and Curtis Chrystal, Director of the Division of Agricultural Products Development of the Department of Commerce and Housing.

Dr. Beuerlein gave a review of the HACCP and associated federal regulations to be implemented by the State of Kansas with the state-inspected meat and poultry plants (Attachment 1).

Mr. Chrystal directed his remarks to some financial assistance programs that will be made available to meat plants in Kansas (Attachment 2).

Senator Karr made a motion to approve the minutes from the February 4 meeting as submitted. Senator Corbin seconded. Motion carried.

SENATE AGRICULTURE COMMITTEE GUEST LIST

DATE: 2·5·97

NAME	REPRESENTING
Mr. Joe Leiber	Ks Co-op Council
Bill Ossmann	Ks Dept. of Ag.
Marla Rhoden	KS Dev. Finance Authority
Lee Masenthin	Ag Product Dev.
Becky Klingler	KDOC&H
Marty Vanier	~~KAA~~
Kelly Karr	KSU
Liz Boyle	KSU
Chris Wilson	KS Seed Industry Ass'n
Joe Bowerlein	KDA
Allie Devine	KDA

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KANSAS DEPARTMENT OF AGRICULTURE

DIVISION OF INSPECTIONS
Meat & Poultry Inspection

Dr. Joseph E. Beuerlein
Program Manager

ADOPTION OF HACCP AND ASSOCIATED FEDERAL REGULATIONS IN KANSAS STATE-INSPECTED MEAT AND POULTRY PLANTS

Presented to the
Senate Committee on Agriculture

February 5, 1997

Senate Agriculture
Attachment 1
2-5-97

On February 3, 1995, the USDA's Food Safety and Inspection Service (FSIS) published a proposed rule: "Pathogen Reduction; Hazard Analysis Critical Control Point (HACCP) Systems". This proposed rule dealt with changing the basic operation of meat establishment and inspection programs in this country. During the year, comments were solicited from the meat and poultry industry, the various state inspection programs, academia, and the general public regarding the aspects of the proposed rule. In July, 1996, approximately eighteen months after the proposed rule was first published, the final rule was published by FSIS in the Federal Register. Several changes were made as a result of the comments received by FSIS, with many of those changes being made to take into account the very small, low-volume establishments throughout the country.

The Kansas Department of Agriculture's meat and poultry inspection program has been closely involved in this process since the proposed rule was published. The major components of the proposed rule were explained to the state meat association at their Spring 1995 convention. After careful consideration, several comments and alternatives to the proposed rule were submitted to FSIS, focusing on the burden of the new regulations to the very small establishments. Due to the complexity and magnitude of the proposed regulatory changes, the inspection program has worked closely with Kansas State University's Extension Services to provide education and training opportunities to the state-inspected meat establishments and inspection personnel.

The new regulations went into effect with the publishing of the final rule in the Federal Register in July 1996. At the federal level, implementation of the regulations is to take place according to the published implementation schedule.

SSOP's

"Each official establishment shall develop, implement, and maintain written standard operating procedures for sanitation (Sanitation SOP's) in accordance with the requirements of this part."

The intent of the SSOP's is to place the primary responsibility for sanitation back in the hands of management. Current practices require the inspector to identify sanitation deficiencies and obtain corrective actions. The SSOP approach will require the inspected establishment to perform that task and document their results. The regulatory program's responsibility will be to verify the accuracy and completeness of the records maintained by the establishment.

Training opportunities have been made available to the individual establishment by the American Association of Meat Processors, Kansas State University, and the National Meat Association. The training consisted of either workshops and classroom education or videotape and workbook correspondence training. Registration fees have ranged from $30 to over $300.

The most accessible classroom training has been through Kansas State University and was offered in October 1996 and January 1997. The fee for the class was $30, and included hands-on experience with KSU faculty, as well as complete educational materials for developing an SSOP. All inspected establishments in the state were notified of these training opportunities. Approximately 60 establishments were represented at the October class, and another 18 establishments attended the January class. In addition to the formal training available, inspection personnel have made themselves available to offer advice and constructive criticism, and to provide

sample program documents to assist an establishment with their SSOP development.

When implemented, an SSOP will enable an establishment to conduct operations upon the successful completion of the preoperational portion of their SSOP. The inspector will focus on oversight of an establishment's implementation of their SSOP. Appropriate action would be taken when necessary to correct failures with the SSOP, such as product contamination or adulteration, or when the SSOP is improperly followed.

The burden associated with SSOP's is the need to accurately document, on a daily basis, the sanitation in the establishment. Deficiencies must be identified. Corrective actions must be spelled out. Failure to follow the SSOP, as developed by the establishment, or failure to properly document findings in accordance with the SSOP, or falsification of documents by the establishment will result in enforcement action being taken by the inspection personnel.

Generic E. coli Testing

"Each official establishment that slaughters cattle and/or hogs shall test for *Escherichia coli* Biotype I (E. coli)..."

In slaughter establishments, fecal contamination of carcasses is the primary avenue for contamination by pathogens. Pathogens may reside in fecal material and ingesta, both on the exterior of the animal and within the intestinal tract. If extreme care is not taken during the slaughter procedure, the edible portion of the carcass can become contaminated with pathogens from the fecal material or ingesta. Additionally, these bacteria can be transmitted from one carcass to another if sanitary conditions are not maintained during the processing of the carcass. The presence of bacteria

commonly found in the intestinal tract, such as *E. coli*, indicates improper procedures are being followed during the slaughter and dressing operation.

Sampling for *E. coli* was first proposed to be performed daily for each species slaughtered. Due to the comments received by FSIS, a much more reasonable frequency was developed based on volume. In the final rule, an *E. coli* sample is to be taken once every 300 beef carcasses, and once every 1,000 swine carcasses. In the large federal-inspected beef establishments of western Kansas, this will still amount to approximately eight or nine samples every day.

There is a different sampling frequency for very-low-volume establishments. In those establishments, one *E. coli* sample shall be collected weekly from the predominant species slaughtered. Sampling shall start the first full week of June and continue through August each year, until thirteen samples have been collected. Current records indicate all one-hundred-one state-inspected slaughter establishments will be able to collect samples according to this frequency due to their volume of slaughter operations.

Analysis of the samples may be performed in-house or sent out to private labs. It is the establishment's responsibility to determine and locate a source to perform the testing. The technology required is fairly modest for anyone with a good background in high school or college science courses. Sampling procedures will entail swabbing three areas on a carcass and transferring this onto a Petri dish. After the proper sample preparation and incubation time, the Petri dish will be checked for the growth of the *E. coli* colonies.

The cost associated with the *E. coli* testing has been surveyed from various

private labs throughout the state and has been found to range from $6-9 to $25-35 for the testing, not including shipping costs. In-house testing may not be feasible for the very small establishments due to initial costs associated with setting up the necessary lab equipment. Continuing advancements being made in this field may reduce the costs and technical expertise needed for this type of testing in the future.

In order to assist the state establishments, KSU and the inspection program will be working together this Spring to train key program personnel in sample collection techniques. This information will then be passed on to the state establishments to aid them in their sample collection. In this manner, the information can be more effectively disseminated to all of the establishments that are required to sample for *E. coli*.

Hazard Analysis and Critical Control Point (HACCP) Systems

"Every establishment shall develop and implement a written HACCP plan covering each product produced by that establishment whenever a hazard analysis reveals one or more food safety hazards that are reasonably likely to occur..."

A HACCP food safety system is built on the idea of preventing food safety problems from occurring rather than finding and correcting them. The origins of such a system lie in NASA's manned space program of the '60's. The demands and risks of manned space flight did not allow for a food-borne disease outbreak in outer space. It was vital that a system be followed that prevented food safety hazards from occurring during the production process.

HACCP presents a systematic approach to controlling food safety problems. When in place, HACCP provides controls at each point in the production system where

safety problems could occur. The intent of HACCP in the meat industry is to reduce the risk and incidence of food-borne disease outbreaks due to chemical, biological, or physical hazards. It does not rely on the final consumer to take the corrective action to inactivate a hazard. Instead, HACCP works at the source to prevent the contamination.

A HACCP plan is built on five preparatory steps and seven principles.

The five preparatory steps are:

1. Assemble a HACCP team.
2. Describe the product and its method of distribution.
3. Develop a complete list of ingredients and raw materials used.
4. Develop a process flow diagram.
5. Meet the regulatory requirements for SSOP's.

The seven HACCP principles are:

1. Conduct a hazard analysis.
2. Identify critical control points.
3. Establish critical limits for each critical control point.
4. Establish monitoring procedures.
5. Establish corrective actions.
6. Establish record keeping procedures.
7. Establish verification procedures.

The new regulations allow for implementation of the HACCP system based upon the size of establishment. Those establishments with over five hundred employees must have a HACCP system in place by January 1998. Those with over ten employees, but less than five hundred, must have their HACCP system in place by January 1999. Those very small establishments with under ten employees or less than $2.5 million in annual sales will have until January 2000 to plan, develop, and implement a HACCP system.

A properly-implemented HACCP plan will require daily record keeping that supports the effectiveness of the plan. In conjunction with SSOP's, the record keeping

by the establishment will indicate the steps taken during the daily operations to prevent food safety hazards. The amount of documentation required in each establishment will vary, depending upon the number and complexity of the operations.

The training to understand a HACCP system is available through various industry sources, as well as Kansas State University. These opportunities vary from one day seminars to three day training courses to extended classroom offerings through KSU. Registration costs for training through an industry-sponsored course can approach a thousand dollars for a three day course.

Due to the age and size of many state-inspected establishments, structural renovations and improvements may be required in order to comply with a HACCP system. Refrigeration capacities may need expanding to ensure separation of different species of livestock, or separation of cooked products from raw products. Anti-microbial treatment systems may need to be installed in slaughter operations to reduce bacteria counts on carcasses at that point in the process.

Efforts to identify funding sources to assist with these training and establishment improvements through various state and federal programs have been undertaken by the Department of Agriculture and Department of Commerce. This information has been relayed to all state-inspected establishments for their use.

Product Performance Standards for Salmonella

The final requirement of the new regulations is a microbiological sampling program to test for *Salmonella* organisms in the products in each inspected establishment. This program will be the responsibility of the inspection program, not industry. The results will be compared to a national baseline to be developed by FSIS.

Those establishments comparing favorably to the baseline will only be periodically sampled by the program. Those establishments that exceed the baseline for *Salmonella* will be reviewed to determine the cause of the bacterial contamination, and will be required to adjust their HACCP program to correct the situation.

Summary

It is widely recognized that the continued existence of the small meat establishment is important to the economic survival of many small towns throughout the state. The efforts by the Department of Agriculture, Kansas State University, and the Department of Commerce represent a commitment to that continued existence of the small meat establishment.

An informal survey taken recently among the program supervisory staff revealed that approximately 10% of the state-inspected establishments are currently considering going out of business or reverting to a "custom-only" operation as a result of the new regulations. That percentage will likely increase as the deadline for HACCP implementation approaches.

Despite the challenges, the adoption of these regulations by the Meat and Poultry Inspection program is necessary to maintain a program that is "equal to" the Federal inspection program. Failure to properly adopt, implement, and enforce these regulations will jeopardize the continuation of this program. Without the state inspection program, state-inspected establishments will be placed under Federal inspection. The Federal inspection system has no commitment to the continued existence of the small meat establishment.

TIME LINE FOR FEDERAL REGULATIONS REGARDING PATHOGEN REDUCTION AND HAZARD ANALYSIS AND CRITICAL CONTROL POINT (HACCP) SYSTEMS

- **JANUARY 1997**

  The **Sanitation SOP's** regulations set forth in 9 CFR 416 and the **E. coli process control testing** regulations set forth in 9 CFR 310.25(a) and 381.94(a) regulating **all establishments regardless of size** were applicable on **January 27, 1997.**

- **JANUARY 1998**

  The HACCP regulations and the **Salmonella pathogen reduction performance standards** regulations set forth in 9 CFR 310.25(b) and 9 CFR 381.94(b) **will be applicable** in **large establishments**, defined as all establishments with 500 or more employees, on **January 26, 1998.**

- **JANUARY 1999**

  The HACCP regulations and the **Salmonella pathogen reduction performance standards** regulations **will be applicable** in **smaller establishments**, defined as all establishments with 10 or more employees but fewer than 500, on **January 25, 1999**.

- **JANUARY 2000**

  The HACCP regulations and the **Salmonella pathogen reduction performance standards** regulations **will be applicable** in **very small establishments,** defined as all establishments with fewer than 10 employees OR annual sales of less than $2.5 million, on **January 25, 2000.** Most of the establishments under state inspection in Kansas fall into the category of very small establishments.

D 2/5/97

To: Curtis Chrystal

From: Becky Klingler

Subject: Information on Meat Plants in Kansas

Numbers of Plants in Kansas:

- 49 Federally Inspected Plants
- 151 State Inspected Plants
- 13 Custom Plants

By our estimates:

- 13 plants grossed under $10,000 in FY96 from cattle and hog slaughter
- 7 plants grossed between $10,001 and $20,000 in FY96 from cattle and hog slaughter
- 12 plants grossed between $20,001 and $30,000 in FY96 from cattle and hog slaughter
- 18 plants grossed between $30,0001 and $40,000 in FY96 from cattle and hog slaughter
- 11 plants grossed between $40,001 and $50,000 in FY96 from cattle and hog slaughter
- 17 plants grossed between $50,001 and $60,000 in FY96 from cattle and hog slaughter

These estimates are based on the production figures obtained from Ag Statistics and using average conversion rates and prices.

These figures do not reflect all aspects of a business - only the cattle and hog slaughter.

Current Analysis Being Done:

- Comparison of these figures to self reported figures from survey.
- Review of jobs provided to individual counties based on survey data.

The following table indicates how many slaughter plants are located in each county.

County	State Inspected / Custom Plants	Federally Inspected Plants
Allen	3	
Anderson		
Atchison	1	
Barber	1	
Barton	1	1
Bourbon	2	
Brown	1	
Butler	2	

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C		
Chautauqua	1	
Cherokee	1	1
Cheyenne	1	
Clark	1	
Clay	1	
Cloud	2	
Coffey	1	1
Comanche		
Cowley	1	1
Crawford	6	2
Decatur		
Dickinson	2	
Doniphan		
Douglas	4	
Edwards	1	
Elk	1	
Ellis	3	
Ellsworth	1	
Finney	2	3
Ford	2	2
Franklin	1	
Geary		1
Gove	2	
Graham	1	
Grant		
Gray		
Greeley		
Greenwood	1	
Hamilton		
Harper	1	
Harvey	3	1
Haskell		
Hodgeman		
Jackson	1	1
Jefferson	2	
Jewell		

Jo	3	3
Kearny	1	
Kingman	1	
Kiowa		
Labette	4	
Lane	1	
Leavenworth	5	
Lincoln	1	
Linn	1	
Logan		
Lyon	1	2
Marion	3	
Marshall	2	1
McPherson	2	1
Meade	1	
Miami	2	
Mitchell	2	
Montgomery	2	
Morris	3	
Morton	1	
Nemaha	4	
Neosho	1	
Ness	1	
Norton		
Osage	2	
Osborne	2	1
Ottawa		
Pawnee	1	
Phillips	1	
Pottawatomie	1	1
Pratt	1	
Rawlins		1
Reno	3	2
Republic	1	
Rice	1	
Riley	1	2
Rooks		

Ru	2	
Russell	1	
Saline	3	1
Scott	2	
Sedgwick	8	5
Seward		1
Shawnee	9	4
Sheridan		
Sherman	1	
Smith	1	
Stafford		
Stanton	1	
Stevens		
Sumner	3	1
Thomas	1	
Trego	1	
Wabaunsee	1	1
Wallace		
Washington	2	
Wichita	1	
Wilson	2	
Woodson	1	
Wyandotte	4	8