

DATE: November 1, 2011

MEMO CODE: SP 04 - 2012

SUBJECT: Update: School Meal Programs – Companies in Alleged Violation of FSIS Federal Inspection Requirements

TO: Child Nutrition Programs

This letter is in follow-up to our May 17, 2011, letter to affected States regarding a potential issue with some companies that serve schools participating in the Department of Agriculture's (USDA's) National School Lunch and School Breakfast Programs (School Meals Programs).

Earlier this year, USDA's Food Safety and Inspection Service (FSIS) notified these companies which serve schools participating in the School Meal Programs that the companies' preparation of meat and poultry meals was not in compliance with the provisions of the Federal Meat Inspection Act and/or Poultry Products Inspection Act and regulations. FSIS requested these companies take action to bring their operations into compliance within 180 days, at which point FSIS would begin follow-up investigations. FSIS has recently shared with FNS how it plans to proceed with their follow-up investigations. We are providing you this information so you can inform schools who have contracts with the companies that received notices.

FSIS plans to verify whether the companies are contracted with the school(s) as a Food Service Management Company (FSMC). FSIS will close the investigative files where companies are able to verify they are a FSMC and where FSIS finds no violations. Information to verify status as an FSMC will be requested by FSIS from the companies and/or school food authorities.

If the company is not under contract as an FSMC, FSIS plans to increase and/or enhance food safety surveillance of that company by partnering with other Federal (e.g., the Food and Drug Administration), State or local regulatory or public health agencies. This increased surveillance is not expected to have an impact on the company's ability to continue to provide meals to schools, but will help assure a safe product.

If you have any additional questions or concerns about this situation or company compliance, please contact the FSIS Regional Director in your area. Attached is a list of FSIS Regional Directors for your convenience.

FSIS Regional Office Contact and States with companies that received FSIS notices:

FSIS Northeast Region
James T. Borda, Regional Director
215-430-6222

- New Hampshire