FSIS Docket Clerk
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U.S. Department of Agriculture
Food Safety and Inspection Service
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I would like to comment on your proposal to change HACCP regulations. I will address the six questions listed in the Federal Register.

Question: #1
The industry petition relies mainly on the NACMCF document and does not provide any data or examples to support its request. Is there any information that would support taking any of the actions requested in the petition?

Answer:
Now is not the time to be making changes. Industry has already attempted to stop Food Safety regulation with the Supreme Beef case. This would just be another step in making the HACCP regulation meaningless.

Question: #2
Would amending 9 CFR 417.2(a) in the manner suggested in the petition result in regulations that provide the level of public health protection required by the Federal Meat Inspection Act and the Poultry Products Inspection Act?

Answer:
Currently the rule provides that a plant's HACCP plan may be deemed inadequate when "adulterated product is produced or shipped." This should remain the same. The main point of having a HACCP plan is *prevention*. If adulterated product is being produced then the HACCP plan is inadequate and should be changed (with additional CCP's etc.) to prevent the production of adulterated product. It would be rare for the FSIS to close a plant based on one product adulteration, or just because the plant produced adulterated

product. But this provision needs to stay in the regulation to keep some accountability on the plants to revise a HACCP plan when it is needed.
Changing the definition of terms as suggested is an attempt to limit the scope of a HACCP plan into very narrow interpretations. This would allow more lawyers to block in court any attempt by FSIS to provide consumer protection.

Question: #3
Should FSIS consider regulatory modifications that would acknowledge the prerequisite programs concept of NACMCF?

Answer:
No, if it is only a way to avoid having a good HACCP plan. Many plants have actual food safety hazards being controlled with GMP's at the present time. Metal detection is on example that comes to mind. The plant does not want to control metal contamination with a CCP, so they have it controlled with a GMP. Industry now wants to get this change in the regulations before FSIS starts to get their act together and make these plants accountable.

Question: #4
Do FDA regulations, such as the GMP regulations, offer an approach that FSIS should consider? How would such an approach fit within the HACCP concept? How would FSIS implement such an approach?

Answer:
GMP regulations may have a use and should be required only if the item does not fit control under a CCP. This is where SSOP's already work. GMP's could be used where it would not work to use a CCP such as on pest control.

Question: #5
What will be the effects of making FSIS and FDA HACCP regulatory requirements dissimilar?

Answer:
The effect will be for industry to try to reduce the effectiveness of FDA HACCP if they are successful with this petition.

Question: #6
Should the changes suggested in the industry petition be considered in light of the views expressed on HACCP by Codex and by other countries?

Answer:
The main concern should be on food safety and wholesomeness. Relaxing the regulations as suggested in this petition will destroy consumer confidence in meat and poultry products. If other countries can find a way to keep U.S. exports out they will. The European community does this now.

So I would be on record as being against any changes in the HACCP regulation as proposed in this notice.

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