



**NATIONAL MEAT ASSOCIATION®**

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September 4, 2001

FSIS Docket Clerk  
Docket #00-026N  
Rm. 102, Cotton Annex  
United States Department of Agriculture  
300 12<sup>th</sup> St. SW  
Washington, DC 20250

00-026N  
00-026N-13  
Robert Hibbert  
Joe Harris  
Bill Brown  
Rosemary Mucklow  
Marty Holmes

Re: Residue Policy  
*Federal Register* Notice; Request for comment  
August 6, 2001 Pages 40964-40965

Gentlemen:

National Meat Association, joined by Eastern Meat Packers Association, North American Meat Processors Association, Southeastern Meat Association and Southwest Meat Association, representing meat packers and processors in the United States, are keenly sensitive and supportive of USDA's efforts to ensure the safest possible meat and poultry products for American consumers. We are pleased to work cooperatively with regulatory and legislative bodies to this end. It is in the public interest, both domestically and internationally, that we maintain the highest standards for production and processing agriculture that can reasonably be attained and supported by science.

In the reference Notice, FSIS states: "its intention to harmonize its procedures with those of the Food and Drug Administration (FDA) with respect to the target tissue/marker residue policy in testing animal tissues for residues of new animal drugs." It further notes that in reviewing its approach regarding the disposition of carcasses containing residues, it "has determined that its approach is not consistent with FDA's approach ... and intends to modify its approach to testing and disposition of carcasses for violative residues to be more consistent with FDA's target/marker residue policy.

It appears that FDA changed its method for establishing tolerance levels for "new" animal drugs in 1976 and instituted a "marker" residue procedure. FSIS is now proposing, 35 years later, to embrace the same application of "marker" residue test results used by its sister agency. As a result meat which when tested shows no detectable residues will be condemned if there is a marker residue detected in organ meat, such as liver or kidney. However, other than a belated interest in harmonizing regulations, FSIS has not presented independent scientific rationale to support its claims that this will improve public health. Further, the proposed system conflicts with international practices and standards established by the Codex Alimentarius (Codex), a conflict that

has the potential of adversely affecting the U. S. meat industry's international trade in meat and meat products.

In a companion *Federal Register* Notice, FSIS is proposing to embrace an industry request that it publish on its web site the names of individuals or companies that sell livestock and poultry that are identified as "repeat violators." Previously, this information was known only to government officials, and the industry that converts these livestock and birds into human food was denied direct knowledge of the identity of repetitive violators of the Federal Food Drug & Cosmetic Act so that individual firms might take special precautions when offered livestock and birds by these suppliers. National Meat Association, Eastern Meat Packers Association, North American Meat Processors Association, Southeastern Meat Association and Southwest Meat Association strongly support the availability of this information so that packers can take the necessary steps to ensure that only livestock and birds fit for the human food supply enter the food chain system in accordance with the Federal Meat Inspection Act.

In the FSIS-published *Results of a Survey of the National Residue Program: Uniform Application in Cull Cow Plants dated December 2000*, the agency has documented the complexity of testing primarily cull cows for residues with respect to uniformity of application of current agency regulations, policies and procedures. The survey was conducted in 30 of the top 40 establishments. It noted specifically that it was not able to predict the applicability to the smaller establishments. Clearly, the agency has internal work to complete to provide the assurances for uniformity of the existing regulations, and it is entirely premature that it change existing rules until it has completed this task. Further, there were detailed recommendations from this report about general conditions, staffing, training and correlation, laboratory issues, field information, and in-plant procedures, in addition to incorporation of the residue program into HACCP. We strongly suggest that the agency be prepared to develop a plan to work with the affected packers for both livestock and poultry on all of these issues to develop an overall plan to continue its efforts to monitor residue reduction. This would represent real progress rather than the exercise of trying to harmonize inter-agency rules and regulations that have not been demonstrated to be a problem for at least 25 years.

For all of the above reasons, National Meat Association, Eastern Meat Packers Association., North American Meat Processors Association, Southeastern Meat Association and Southwest Meat Association stand ready to work cooperatively with the agency to implement the companion Notice for publication of the identity of "known violators." **We are opposed to the reference rule for so-called harmonization of testing methods.**

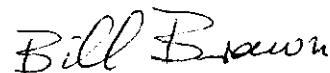


Robert Hibbert R.  
Eastern Meat Packers Assn.

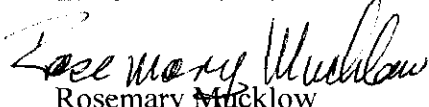


Joe Harris R.  
Southwest Meat Assn.

Sincerely,



Bill Brown R.  
Southeastern Meat Assn.



Rosemary Mucklow  
National Meat Association



Marty Holmes R.  
North American Meat Processors Association