

**FSIS Docket Room,
(Docket#01-030N)
USDA, FSIS
Room 102, Cotton Annex
300 12th Street SW
Washington, D.C.,
20250-3700**

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01-030N
01-030N-116
Rusty Bowsher

November 12, 2001

To Whom It May Concern:

I am in favor of the citizen's petition for the extending the effective date of the new moisture regulation. I strongly urge the delay of the moisture rule that is to take effect on January 9, 2002. I recommend that careful deliberation be given to the time frame for this new regulation to be implemented, we are at least two years from being truly ready to make this type of change in our process. If the date of the enforcement rule is not delayed all of our single ingredient items will have to carry a label that states, "contains up to X% retained water", we just do not know at this time. There is a tremendous amount of work that still needs to be done before we are ready for this change. We first had to submit a protocol showing that any moisture we gained through chilling was required to meet food safety requirements. Once we determine the chiller settings that meet this requirement, then we need to collect data on all single ingredient items to show how much of the water we gained in the chiller is retained at packaging. In order to comply with this part of the rule we must measure naturally occurring moisture and then compare that to the moisture at packaging. The difference is what will appear on the label.

FSIS did not allow us enough time to prepare for implementation. The implementation time frame had already been wasted by six months before the first part of the rule was published.

Because of the increased testing required, we will need additional equipment and possibly additional personnel.

Packaging concerns stem from utilizing existing supplies to physically changing all the printing plates. If all new plates have to be made then where will we fall in the print shops chronology? Some plants would be first in line, and some customers would receive their products, others would not. Some companies would survive and some would fall, this would be a total injustice to all involved including the consumer.

Postponement would be the most fair and equitable solution to everyone. If this new regulation is not postponed, the poultry industry would shut down affecting the consumer, trucking, advertising, and government due to the tax revenue lost through job reductions. Postponement would definitely be in the best interest of the consumer. It would minimize the effect on the consumers budget, allow the consumer to make informed decisions based on industries past level of performance and quality.

In conclusion we will comply with the new regulation and provide the consumer with the retained water information. We just need the time to develop and implement procedures, collect and analyze data, and get the packaging material changed and printed as required.

Sincerely,

A handwritten signature in black ink that reads "Rusty Bowsher". The signature is written in a cursive style with a long horizontal flourish at the end.

Rusty Bowsher
Complex Manager Tyson Foods Monett, Mo.