



# Association of Food and Drug Officials

2550 Kingston Road, Suite 311 York, PA 17402  
Telephone (717) 757-2888 Fax (717) 755-8089  
E-Mail: [afdo@afdo.org](mailto:afdo@afdo.org) Internet: [www.afdo.org](http://www.afdo.org)

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## President

Marion F. Aller  
FL Dept. of Agriculture and  
Consumer Services  
3125 Conner Blvd.  
Room 181 MS C18  
Tallahassee, FL 32399-1650  
(850)488-0295  
(850)488-7946 FAX  
[allerm1@doacs.state.fl.us](mailto:allerm1@doacs.state.fl.us)

## President-Elect

Charlene W. Bruce  
MS Dept. of Health  
570 E Woodrow Wilson  
P.O. Box 1700  
Jackson, MS 39215-1700  
(601)576-7689  
(601)576-7632 FAX  
[cbruce@msdh.state.ms.us](mailto:cbruce@msdh.state.ms.us)

## Vice-President

Steve Steingart  
Allegheny Co. Health Dept.  
3901 Penn Ave.  
Pittsburgh, PA 15224  
(412)578-7935  
(412)578-8190 FAX  
[steingart@achd.net](mailto:steingart@achd.net)

## Secretary-Treasurer

Steve Steinhoff  
WI Dept. of Agriculture  
2811 Agriculture Dr., Box 8911  
Madison, WI 53708  
(608)224-4701  
(608)224-4710 FAX  
[steve.steinhoff@datcp.state.wi.us](mailto:steve.steinhoff@datcp.state.wi.us)

## Director of Public Policy

J. Joseph Corby  
NY Dept of Agriculture & Markets  
10 B Airline Drive  
Albany, NY 12235  
(518) 457-4492  
(518) 485-8986 FAX  
[Joe.Corby@agmkt.state.ny.us](mailto:Joe.Corby@agmkt.state.ny.us)

## Executive Director

Denise C. Rooney  
Association of Food and Drug  
Officials  
2550 Kingston Road  
Suite 311  
York, PA 17402  
(717) 757-2888  
(717) 755-8089 FAX  
[drooney@afdo.org](mailto:d Rooney@afdo.org)

## Docket Clerk

US Department of Agriculture  
Food Safety and Inspection Service  
300 12<sup>th</sup> Street, SW, Room 102 Cotton Annex  
Washington, DC 20250

RE: Docket Number 04-006P  
Proposed 9 CFR Part 390.10

The Association of Food & Drug Officials (AFDO) is a non-profit professional organization representing federal, state, and local regulatory officials as members, with industry representatives participating as associate members. AFDO develops and promotes uniform laws, regulations, and guidelines that have resulted in more efficient and effective regulations along with enhanced cooperation and communication. AFDO has been a leader in many regulatory initiatives and has taken an active role in attempting to integrate resources at all government levels that are applied to food safety in this country. One of our more prominent efforts in recent years has been associated with recalls and how they can be best achieved by industry and monitored by government.

AFDO supports the USDA/FSIS proposal to amend federal meat and poultry inspection regulations to enable them to make available to the public lists of retail consignees of meat and poultry products that have been voluntarily recalled by federally inspected meat or poultry establishments if product has been distributed to the retail level.

AFDO agrees the efficiency of recalls can be improved by informing the public of the retail consignees that are known to be carrying the recalled product(s), provided the information is accurate and provided in a timely manner.

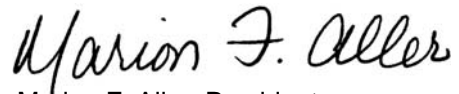
In terms of accuracy, however, "Retail Consignee" needs clarification. Does the term include hotel, restaurants and institutions that serve the product directly to the public or only retail markets and grocery stores? Clearly, the institutions are locations where many of our most vulnerable populations are being fed such as schools, nursing homes, and hospitals. Any delays in identifying distribution to these locations would be unacceptable, in our view.

The timeliness of accurate information is of great concern because most recalls only receive a limited amount of press. Much of the retail consignee information will be gathered as part of sub-recalls being conducted by primary distributors. If the general public is told of the recall via the press and goes to the USDA/FSIS web-site and does not see the store they shop in listed it could work to hinder the recall process. Possible solutions may be highly visible disclaimer statements involving the recall, i.e. "Known Retail Consignees to Date", "Retail Information Will Be Posted By (date)". Another solution is to allow consumers to sign up for e-mail alerts to meat and poultry products being recalled in their state.

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AFDO appreciates the opportunity to comment on the proposed regulation. We further hope the successful implementation of the proposed regulation leads USDA/FSIS to reconsider distribution lists as confidential proprietary information. While AFDO would agree the dollar value and amount of product sold to a particular consumer is confidential, we do not agree the customers name should be kept confidential.

Sincerely,

A handwritten signature in black ink that reads "Marion F. Aller". The signature is written in a cursive, flowing style.

Marion F. Aller, President  
Association of Food and Drug Officials

cc: Board of Directors