



UNITED STATES DEPARTMENT OF AGRICULTURE
OFFICE OF INSPECTOR GENERAL
Washington D.C. 20250



APR 20 2006

Docket Clerk
U.S. Department of Agriculture
Food Safety and Inspection Service
300 12th Street SW.
Room 102 Cotton Annex
Washington, D.C. 20250

04-006P-7
04-006P
Phyllis K. Fung

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Subject: Proposed Rule – Availability of Lists of Retail Consignees During Meat or Poultry Product Recalls, Docket Number 04-006P

Dear Docket Clerk:

The Office of Inspector General has reviewed the proposed rule, and we generally concur with the action proposed. Consumer groups and others have long advocated the public release of information on where recalled products have been distributed. However, we did note some needed clarification and provide the following comment.

Page 11326 of the preamble indicates that when a recalled product has been distributed to the retail level, the Food Safety and Inspection Service (FSIS) will make a list available of the retail consignees on its website. FSIS will post the list of retail consignees as they are developed by the agency during its recall verification activities. Further on the same page of the preamble it states that “ * * * if products are recalled to the retail level, FSIS requests that the firm conducting the recall provide FSIS with a list of the consignees to whom the recalled meat or poultry products were distributed.” The proposed rule in Section 390.10(a) states that the list of disclosed retail consignees are those FSIS compiled to verify the removal of recalled product. For clarity, this section of the regulation should explain that FSIS uses a statistical sampling plan to identify a sample of consignees to verify the effectiveness of the recall. The regulations need to make it clear that FSIS only verifies a sample of consignees, and therefore, the list provided will only include some of the retail consignees.

Sincerely,

Phyllis K. Fung
Inspector General

cc:

Barbara Masters, Administrator, Food Safety and Inspection Service