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97-013P-2714  
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Gary C. Paxton

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FSIS Docket Clerk  
Docket No 97-013P  
USDA/FSIS  
Room 102 Cotton Annex  
300 12<sup>th</sup> Street S W  
Washington DC 20250-3700

[Docket No. 97-013P]      **Performance Standards for the Production of  
Processed Meat and Poultry Products; 66  
Federal Register 12590; February 27, 2001**

Dear Docket Clerk;

Hormel Foods Corporation (HFC) has been a manufacturer of meat and poultry products for 110 years. HFC is responsible for the production of over 500 million pounds of canned shelf stable product annually. These products are distributed not only domestically, but to more than 50 countries worldwide. HFC has had a long, rich and successful tradition of providing literally billions of pounds of shelf stable foods to consumers for many years. In that regard, HFC has elevated the area of thermal process monitoring and control at all of its canning plants to the highest level of awareness. In-house process authorities have been active since the early seventies conducting heat penetration and distribution studies as well as conducting in-plant equipment audits and personnel seminars. In short, Hormel Foods Corporation is a company who has taken the area of thermal processing very seriously. By the same token, HFC is one corporation who stands behind the concept that the existing thermal processing regulations should remain intact without any change. We feel this is essential for the following reasons.

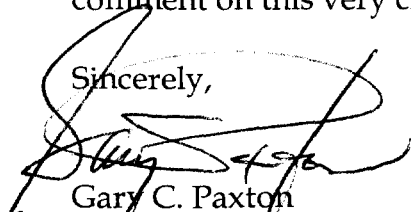
- The food industry, the consuming public, and the USDA have been the beneficiaries of a history of successful canning practices for many years. This is primarily because of the existence of the regulations, coupled with the diligence and determination of the canning manufacturers, to maintain this category of food production as, without question, the safest in the world.

- At this time we feel there is simply no scientific justification for the shift from the canning regulations to performance standards. As a matter of fact, just the opposite is true. Because of the unprecedented success of canned processing safety over the years, it may simply appear as though there is no need for conscriptive regulations. However, it is because of these very regulations and the specific, mandatory requirements embodied within them, that regulatory developers might be lulled into a false sense of security.
- The existing canning regulations, found in 21CFR part 113 and 9CFR parts 318 and 381 have been tried, tested and found to be true. They are the most complete and thorough processing requirements that could be written for an area of food processing that is not simple by any means. They remove all of the guesswork and establish very specific controls that must be followed. The food industry and the consuming public cannot afford to have these regulations revert to guidance materials. It is essential that the codified language remain in place with all implications of regulatory compliance. There must be no question whatsoever that each and every control aspect of the canning regulations must be followed in order to maintain the public health.
- Although well-established and experienced processing firms are familiar with and would continue to can product safely within the confines of performance standards, we are extremely concerned with the future emergence of new and inexperienced manufacturers. Such manufacturers, left simply with “guidelines” and performance standards, would eventually and inevitably experience a process failure, which could have catastrophic consequences.
- The existing thermal processing regulations, along with their inherent controls and monitoring requirements, are already in place, well established and have become an integral part of the daily canning plant routine for years. If they were ever considered to be a costly or burdensome requirement, that time has long past. The canning industry feels strongly these requirements remain in place and without change.
- The current move toward performance standards is commendable and the food industry as a whole embraces this change. We applaud FSIS for its foresight and focus on the modernization of all regulations in its efforts to make the HACCP concept a reality. However, since 1986 the FSIS version of the canning regulations has been the proof that the HACCP principle works. In essence, the canning regulations were HACCP before HACCP even reached a level of public awareness.
- Finally, USDA and the canning industry enjoy the very highest degree of consumer confidence in shelf stable canned foods. We absolutely cannot tolerate one single fatality that might be brought about by the existence of inexperienced processors working from guidelines. The industry in general and Hormel Food Corporation specifically stand behind the need for the existing codified language of 9CFR §318.300 through §318.311 and 9CFR

§381.300 through §381.311 remain in place and unchanged with all implications of compliance as currently established. It is the opinion of Hormel Foods Corporation that any change away from the existing regulations and toward less conscriptive performance standards would at best serve no useful improvement to the area of food safety and would at worst invite disaster.

We at Hormel Foods Corporation sincerely appreciate this opportunity to comment on this very critical and essential aspect of the regulations.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary C. Paxton", written over the word "Sincerely,".

Gary C. Paxton  
Vice President of Operations  
Prepared Foods