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SOUTHWEST MEAT ASSOCIATION

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March 18, 1999

FSIS Docket Clerk
U.S. Department of Agriculture
Food Safety and Inspection Service
Room 102, Cotton Annex
300 12th Street S.W.
Washington, DC 20250-3700

RE: Comments on Docket No. 97-068N entitled, "Beef Products Contaminated with *Escherichia coli* O157:H7

The Southwest Meat Association - representing meat packers and processors in Texas, Oklahoma, Arkansas, Louisiana, and New Mexico - submits the following comments on the FSIS policy notice published in the *Federal Register* on January 19, 1999. The members of the Southwest Meat Association (SMA) are dedicated to producing safe meat products and working closely with FSIS to achieve the common goal of eliminating *E. coli* O157:H7 from the nation's beef supply. While an industrywide coalition, of which SMA is a part, will be submitting comments and a detailed proposal outlining a process for controlling *E. coli* O157:H7, the comments contained in this document are more specific to the members represented by SMA.

First, we believe that expansion of adulterant status to trimmings contaminated with *E. coli* O157:H7 should be limited to only those cases where it is certain that the trimmings will be used in raw ground products. As currently written, the FSIS policy notice creates an enormous amount of confusion as to exactly which items are to be considered adulterated when found to contain *E. coli* O157:H7. The broad definition provided in the notice essentially implicates any raw beef item that could potentially become raw ground beef at some point further down the marketing chain. In this way, almost all beef could conceivably be implicated. At a minimum, the definition should specify that only trimmings or other products clearly intended for use in raw ground beef at the time of testing should be covered by the expanded policy.

Second, we feel that the place at which to most effectively reduce *E. coli* O157:H7 and prevent its entry into the food supply is during the slaughter process. In this regard, the detailed proposal for a pilot test, of which the agency is aware, is being submitted separately by the industry coalition. It is at

REPRESENTING THE MEAT INDUSTRY IN THE SOUTHWEST

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the slaughter plant that the only proven interventions (before cooking) currently exist. Relative to interventions, it is significant that many activities have the effect of reducing or preventing the pathogen incidence on beef carcasses, and we contend that the most important intervention is properly conducted dressing and dehiding procedures. For this reason, we support the use of carcass swabbing to verify that an establishment's system – regardless of the number of “technological” interventions in place – is working. Therefore, it is critical that slaughterers be allowed maximum flexibility in reaching the desired goal of preventing the entry into the beef supply of carcasses contaminated with *E. coli* O157:H7.

Third, the policy as published on January 19 has the potential for being disproportionately burdensome on small businesses. In fact, the immediate reaction by industry in response to this policy made it abundantly clear just how burdensome it could become. By exposing small and very small companies to the risk of massive product recalls and increased liability, the FSIS policy would have the effect of placing many of these firms in grave economic peril, even though public health benefits may be non-existent given the non-random, low incidence rate of *E. coli* O157:H7. The end result of such actions, we feel, could lead to the demise of many small firms, thereby further concentrating our industry.

Finally, we wish to re-emphasize a point addressed in the industry coalition's comments. There simply is no scientific justification nor epidemiological data to suggest that mechanically tenderized beef cuts should be considered as posing similar risks to those of raw ground beef. In fact, research recently completed at a major university - the results of which have been submitted to FSIS - concludes that there is no significant food safety risk associated with these products across a wide range of endpoint cooking temperatures, including cuts cooked to only a “Rare” degree of doneness.

We appreciate the opportunity to submit these comments.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joe Harris". The signature is written in a cursive, flowing style.

Joe Harris, Ph.D.
Executive Director