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**NATIONAL CATTLEMEN'S BEEF ASSOCIATION**

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June 12, 1998

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

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Gary M. Weber

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FSIS REGISTER ROOM  
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Re: Proposed Rule on Meat Produced by Advanced Meat/Bone Separation Machinery and Recovery Systems, FSIS Docket No. 96-027P, 63 Fed. Reg. 19959, April 13, 1998

**TO WHOM IT MAY CONCERN:**

We appreciate the initiative FSIS has taken in response to questions raised pertaining to the operation of equipment used in Advanced Meat Recovery Systems (AMR). We believe it is important to address concerns, such as those that have been raised, as we are committed to supplying consumers with high quality, safe, wholesome and affordable beef and beef products.

We have been supportive of the full enforcement of the existing rules pertaining to Advanced Meat/Bone Separation Machinery and Meat Recovery Systems. These rules were intended to ensure the beef product produced mirrored the composition of beef products produced through other means. This essentially meant that the crushing and pulverization of bones would not occur to any significant degree as evidenced by a determination of the calcium content of the final product.

In January of 1997 we reviewed the data collected by the FSIS, as well as data provided to us by companies using this technology. From review of that data, it was clear AMR equipment can be operated in a manner, which minimizes calcium and other inappropriate inclusions. This is evidence that bones are indeed not being crushed. Consequently, if bones are essentially intact, there is minimal possibility of the incorporation of bone marrow in the final products. Therefore, we believe the data illustrate the technology can and is being used in a manner consistent with the intent of the original rule and thereby results in the production of a beef product of comparable composition to other beef products.

At that time we concluded there was no reason to promulgate new regulations or change the current regulations pertaining to the production of this product. However, we supported full enforcement of the existing regulations, and specific directives, which have been shown to be effective in controlling the processes and prevent non-beef tissues from being incorporated into these products.

On April 13, 1998 the FSIS published a proposed rule "Meat Produced by Advanced Meat/Bone Separation Machinery and Recovery Systems, Docket No. 96-027P, 63 Federal Register 19959."

Consistent with our previous comments, we support FSIS' effort to establish a regulatory framework for the continuing production AMR based products, and believe that in general, the rule identifies appropriate compliance criteria.

**AMERICA'S CATTLE INDUSTRY**

However, we have been alerted to a number of concerns regarding the scientific basis for the specific regulatory criteria being proposed. We request the scientific basis for the proposed criteria are reevaluated to ensure they are consistent with the data being supplied by companies and others.

Our position on the use of AMR technology is based upon the following key points:

FSIS has identified three legitimate criteria -- the presence of excessive amounts of hard bone, the presence of excessive amounts of soft bone, and the presence of spinal cord -- to be used to determine whether product should legitimately be characterized as meat and labeled with a species name such as "beef" or "pork."

FSIS must base any regulatory framework on solid scientific data before specific quantitative criteria are established. This includes establishing reasonable variation to limits established for specific components.

FSIS' should, to the fullest extent possible, use this regulatory development process to reduce, or eliminate regulatory elements, which are based upon subjective criteria such as the examination of the condition of bone materials by in-plant inspectors.

### Conclusion


The NCBA appreciates FSIS' taking action to ensure that products produced through the use of AMR technology are essentially of the same composition as beef produced through other means (trimming, etc.). The agency's evaluation of new requirements for advanced meat recovery systems is of importance to the industry. We believe that a regulatory framework, which will contribute to continuing public acceptance of this product, is important.

Concerns have been raised as to the specific values proposed in the regulation by the Department, specifically that they may not be scientifically-based and consequently could cause substantial disruption in the use of AMR technology, if not the elimination, of the manufacturer of this category of product.

We hope that the FSIS will carefully consider the points we have raised in this and previous comment periods, as well as the data submitted by others, to ensure any final regulations are indeed based upon the most current science.

Thank you for your consideration of our views.

Sincerely,

  
Gary M. Weber, Ph.D.  
Executive Director  
Regulatory Affairs