UNITED STATES OF AMERICA

DEPARTMENT OF AGRICULTURE

FOOD SAFETY AND INSPECTION SERVICE

NATIONAL ADVISORY COMMITTEE

on

MEAT AND POULTRY INSPECTION MEETING

The Washington Plaza
National Hall
10 Vermont Avenue, N.W.
Washington, D.C.

Thursday,
November 14, 2001

The above captioned meeting convened at 7:00 p.m.

Chairperson:

Lee Jan, Chairperson
Director, Meat and Poultry
Inspection Program
Texas Department of Health

Attendees:

Robert Post

Alice Johnson

Charles Link

Catherine Logue

Gladys Bayse

Nancy Donley

Judy Riggins

Skip Seward

Steve Stinehorn

A G E N D A

P R O C E E D I N G S

(7:00 P.M.)

DR. JAN: Let's start our deliberations, or what was the other term he used?

I think since we have specific questions to answer, I think maybe the best way to go is to start by answering these questions and of course, if they stimulate discussion away from that, certainly we can include all of that. I think that is the best way to stay on track.

So, the first question, we all heard the issue paper this morning or this afternoon, I guess, right after lunch. Now, the first question is what are the general comments of the Committee on the strategy and guiding principles outlined by the Agency? And if anybody needs a refresher, a sketch, I think Dr. Post can give us that.

MR. LINK: I was going to ask for that very thing.

DR. JAN: Clear in a nutshell, I guess.

DR. POST: I have a wonderful graphic, I mean, I can read from it, but it just shows the --

We planned essentially four steps in this process and it led to several other small things that I mentioned this afternoon, but, the first thing we did was we developed interim policy to allow for some flexibility, within some degree of flexibility we allowed for products like low fat bologna, and no fat sausage or reduced fat sausage according to policy memos.

And that is policy that is interim, that needs to be codified.

The next thing we said was we were going to amend regulations to change regulations to allow for a general standard of identity, which would allow for a nutria content plan associated with a product name, so that would allow for low fat corn beef, reduced fat pepperoni. Every, every one of the 80 standards in the regulations would be available for that approach. It is what FDA has already done, but we haven't yet finalized.

The next step in the prong, would be to and what we have already accomplished, would be to improve the system for approving new ingredients for use in meat and poultry products. And we have done that effective December of '99, we published a final rule, I mention that. And there is a Memorandum of Understanding in place with FDA that establishes how we interact to allow for new and novel ingredients, especially those that are helpful in modernizing standards like fat replacers.

I mention as an offshoot the ability for us then to go further and something we have planned to allow for do an amendment to the regulations for any safe and suitable binder, or other fat replacing ingredient in meat and poultry products. That is something FDA already allows. Right now we go case by case and change standards to include the uses of, new uses of ingredients. And instead of doing that, we would have a blanket, any safe or suitable, in the criteria we define.

The last step in the process is the guiding principles that we would publish as a proposed rule. And these guiding principles are a road map or a check list. They are essentially the way we would ensure consistency in the evaluation of standards in terms of whether they need to be modernized, eliminated, or modified and that is, that is, and I gave you examples in the paper of guiding principles and I named some extra ones this afternoon, in terms of the kinds of rules that industry would have to, and consumer groups would have to consider if they were to petition or request for a change to a standard, and come to the Agency with that change.

So, that is it in a nutshell. Does that help?

MS. LOGUE: Kind of. Can I ask you a question?

DR. POST: Sure.

MS. LOGUE: I don't know whether I misheard this this morning or not. What did you say about compliance at the distribution point level and at the plant? What was that? You said, you were going through this and you kind of added in extra. What did you mean?

DR. POST: One of the guiding principles would be to ensure that a, and here again we are talking industry, we are talking industry, consumer group consensus approaches to petitions that we have received to change to standards, to improve them or even eliminate them.

MS. LOGUE: Yes.

DR. POST: And what we hope would be for a standard to be developed or changes to the standard to be developed based on the finished product and not on the formulation. Right now more than half the standards are based on formulation. That means in plant compliance, looking at formulations when products, how much fresh meat is used in making the product, rather than looking at some kind of criteria or some parameters on the finished product. And, therefore, if you are looking for moisture content on the finished product, you could look for that in the supermarket. You don't need to test in the establishment.

MS. LOGUE: Oh, okay.

DR. POST: So, it is a better use of our resources. It is in line with other consumer protection.

MS. LOGUE: So, you are talking them, you say some, make some cheese and beef mix and packs it in a casing, and then sells it.

DR. POST: Right.

MS. LOGUE: Where they take the cheese from somebody and the meat from somebody and mix the whole thing together and they sell that as their product.

DR. POST: Well, if someone wants to establish a standard for that kind of product, they may establish a cooked meat content, you know, for the entire product, rather than --

MS. LOGUE: But, you only have to, you only have to establish it at the retail point or not where it is produced in

the plant anymore, is that what you are saying? You have got to establish it at the distribution?

DR. POST: Well, compliance checks. The benefit there is where we look for compliance. And right now, when we have a water restriction, if we restrict the amount of water that goes into a product, because that is what it says in the regulations, we evaluate compliance at the point of formulation. And that is a task that we have now, hopefully less frequently than food safety tests, but a test right now that inspectors have to perform, an insurance or verification that kind of control is in place. That could be done in retail, or other places.

MS. JOHNSON: That also could be done at the in plant level as well. And that would, your guiding principle might be one that looks at composition of finished product without designating where compliance was determined.

DR. POST: Oh, absolutely.

MS. JOHNSON: Okay.

DR. POST: We are not talking about, you know, establishing standards, don't, don't prescribe where compliance is, is --

MS. JOHNSON: Determined.

DR. POST: Determined. They are compositional. They are compositional to characteristics as processing methods, whatever, whatever is needed to assure that the consumer gets a product they purchased or how they perceive a label is what is in

the product.

MS. JOHNSON: But, you did say the, I am confused now with the guiding principles.

DR. POST: Right.

MS. JOHNSON: One of the guiding principles maybe that you look at finished product instead of at ingredients, composition. That is one of the issues you are looking at.

DR. POST: That, in fact, I mean, if we could be so bold as to say, yeah, we would not like to look at standards changed to reflect raw ingredients. And the parameters of the characteristics of the product should be based on a finished basis. So, perhaps it is the degree of drying this, rather than the amount of water that is used to formulate the product. And so one of the guiding principles would be to consider, if you want to change the hot dog stnadard, perhaps it is not a restriction on the amount of water going in, but it is the degree of dryness or the water activity or something like that of the finished product.

DR. JAN: Anybody else have questions?

MS. DONLEY: What are we doing, number one?

DR. JAN: We are just kind of getting, we are just getting background, but, yeah, we are going to follow this and try to answer one through eight.

MS. BAYSE: You used the term anti microbial as potential attitude. Could you give me an example?

DR. POST: Oh, sodium lactate, sodium diascertate.

MS. BAYSE: But, not --

DR. POST: Well, where we don't have restrictions on certain ingredients and there are some. You have got to consider and that is why in the strategy we also considered ingredient approvals, because ingredients, the way USDA operates with regards to standards, we are very case by case prescriptive with regard to ingredients. So, there are certain ingredients that are prohibited from all meat and poultry products like -- and sodium benzodine. But, there are certain ingredients we would allow and FDA already permits them as brass substances. And so, we, we feel that there could be any safe or suitable. Anti microbial used in standardized products and that sort of thing would put on safe products.

MS. BAYSE: I had another sort of unrelated. Cathy and I were talking about the food labeling and it is not clear to me, is that, I am talking about, I had my snack sack from the airline and my Nutri Grain bar, I had for breakfast. The things that were there, I always thought were USDA ingredients and then there is the nutritional information. Is that true that USDA, FDA had input into that?

DR. POST: No, well, USDA has its own set of regulations with regard to labeling. And for the most part there is consistency. We operate off the same statutory requirements that prevent misbranding, that prevent labels from being misleading.

But, but, there are specifics. Now, you have got to consider the USDA is different, because we have a prior approval system. We approve labels before products are marketed.

MS. BAYSE: Okay.

DR. POST: But, but, you also have to look at standards as being the, the rules that apply to allow a product to be labeled a certain way. That is the link between labeling and standards. Standards don't relate to nutrition information and nutrition facts.

MS. DONLEY: Are we asking just general questions right now?

DR. JAN: Yes.

MS. DONLEY: Okay. I have a couple that I just didn't quite understand in the reading. And I will be very honest and I will up-front with you, I don't know much about this subject, but, of course, I have a lot of opinions.

On, let's see the third page, the last sentence right before it says "some examples of the guiding principles include the following." The sentence reads "The rule, itself, would not propose any specific changes to the regulations on existing standards, instead, the rule would address how the existing regulations might be modified or deleted or how new food standards would be created." I don't quite understand what that is saying. It is unclear to me.

DR. POST: Okay. We, in evaluating the issue of

modernizing standards and doing this jointly with FDA, that there is a need for both agencies to do this consistently. And I mentioned the one reason is because, in a statutory way, standards should be, information about standards should be shared between the agencies to, to maintain harmony and ensure consistency. We have worked with them. And we, we don't think that we have, we know we don't have the resources to change every, all 80 standards.

MS. DONLEY: All 80 standards.

DR. POST: For the Agency deal with each standard on the fact of the standard, suggest changes, go out and pose a change and then deal with the final rule and deal with the debate, but we do think what is necessary and the approach that we are plan is to provide a set of rules or a set of guiding principles, a road map to anyone who is interested in changing the standards. So, it almost becomes a third party activity.

MS. DONLEY: And so to change the standards, it would via a petitions from company, so you would do it on a case by case basis, then?

DR. POST: Yes.

MS. DONLEY: Through the petition process.

DR. POST: Yes, but, but in the guiding principles, we are also acknowledging that if you are going to change the standard for ham, you might as well address the standard for ham salad or ham spread. You ought to be, you know, more global in

your view, so we are not spending a lot of resources changing these standards piecemeal, to even be broader in the approach. But, it would be, one of the guiding principles would be for industry and consumer groups to work together to come up with a consensus. And in that regard, I will refer to the pizza, the pizza proposal that is out there. And I have copies of that. Ms. Foreman mentioned that. I don't want to distract from, from the guiding principles I am talking about. But, I think this is useful. This came to us before we embarked on the guiding principles approach, this petition. And the petition was a very complete petition. It, in fact, they had spoken enough with me about our development of guiding principles to more or less, you know, come up with every one of the concerns we would have. They got consumer buy-in, consumer group buy-in. They established a need from the consumer standpoint, they did an analysis of the market. They had all the economic data. They did everything that we would hope to be done in proposing to eliminate the standard. So, if anything, it is an example of what could occur.

MS. DONLEY: But, okay, I guess you have cleared up in my head, I couldn't get around is this on an industry basis or on a company basis, individual company, I want to call my ham --

DR. POST: Well, what we want --

MS. LOGUE: -- to change my ham and still call it ham.

DR. POST: One of the guiding principles would be for any petitioner to consider that it has represent in industry's

needs, and also to get consumer group buy-in and any other interested party buy-in. What we don't want to spend is our resources in debates during rulemaking. We have never been successful, at least more recently, especially in the area of standards, in getting these standards finalized. Because of the opinion of one company versus the rest of the industry. They are not always the same opinions. And we don't want to deal with those debates. So, really -- So, what we, one of the guiding principles would be for industry to come up with an industry wide consensus and also to have consumer group buy-ins.

DR. JAN: And for the ham example you spoke of, is an example, if somebody wanted to change, instead of having water added ham, they wanted to call it ham, for example, would he go through, once they got all the information and got everything, then before it was changed, go through a rulemaking process for that particular product?

DR. POST: Yes.

DR. JAN: Okay.

DR. POST: Yes.

MS. JOHNSON: And to piggyback on that, when you receive a petition, before you even decide whether you will go through the rulemaking, you would evaluate the petition against the guiding principles?

DR. POST: Right.

MS. JOHNSON: Before you, I don't want to say

credibility, but before you move forward with it, that would be part of the process, is to see if the guiding principles --

DR. POST: Exactly and that is why we consider it a road map or a checklist, you know, that these are general principles. If there is a standard that exists, I know this came up the idea that there are international food standards. It is probably more important for FDA than USDA. Well, first of all, you are going to have consistent guiding principles that apply to both USDA and FDA. So, anyone interested in changing the strawberry jam standard, you know, would follow the same set of principles.

There are six or so meat or poultry product standards, cured for products, for example, mechanically separated in the Codex standards. Acknowledgment wold have to be there in that petition, that if there is an international standard, we are different because of this. Rather than have us to say that there is something failing in this petition and then have us spend more time and resources fixing it. It would come to us complete, having looked at the checklist.

MS. DONLEY: Robert, you had made a comment in the meeting and you said it in your comments, but it wasn't written here and I wrote it down and you mentioned something about identify whether food is ready to eat or is not ready to eat.

DR. POST: Right.

MS. DONLEY: And I was trying to remember in what part

of your commentary you were, it was in the --

DR. POST: Oh, I know, it is, it is a guiding principle that wasn't in your paper.

MS. DONLEY: It is a guiding principle.

DR. POST: Yes.

MS. DONLEY: Okay.

DR. POST: I don't want to confuse things, I mean, there are 15 guiding principles that USDA and FDA have devised right now. If it helps, you could see them, I think you might get bogged down in the discussion about the merits of each one. That, I am impressing upon you has already been done over the last few years and it is no easy task to make sure that FDA at all levels, all the way up, in SIPSAN ranks as well as our agency have brought off on these as being, they are tied to the statutes, they are tied to regulations, they are tied to the principles and the philosophies of both agencies. So, when we get to the issue of a guiding principle that I said was useful for today's food safety concerns, about ready to eat and not ready to eat products, one of the guiding principles would be that anyone wishing to change a standard, would establish whether the pie is a ready to cook or a not ready to cook item. And that would help us. It would help us in other areas, labeling, ensuring that the product is safe handling instructions, making sure that there are other safety features on the label. If it is a, certainly a not ready to eat product, let's say if handling

instructions are required, but, it is a ready to eat product, we are looking at listeria testing. So, I mean, it would help us get out of the discussions that we are having these days and a lot of the debates in terms of whether there is listeria testing or whether there is a safe handling instruction kind of thing. And we have noticed that, I mean, there is a change in the marketplace. And the confusion with regard to safety labeling, because no one really knows in all cases whether these are still products that are ready to eat or they have changed over to a not ready to eat status.

MS. JOHNSON: Robert, has the 15 guiding principles that you just talked about, have they been agreed to by both FSIS and FDA?

DR. POST: Yes.

MS. JOHNSON: Have you gotten that --

DR. POST: Absolutely. And this is an effort that is well on its way. We are bogged down with, in the areas that I have listed here, in finishing up all the information gathering that would enable this to get through Agency clearances, certainly through O&B.

MS. JOHNSON: Have you, based on these questions, and talking to several different groups in preparing for the meeting, you know, I am not sure that the data that you are looking at, you need, is available, in just a quick survey we have done. Have you looked at sending out requests for data?

DR. POST: Well, in '98, both agencies did issue an event, Notice of Proposed Rulemaking, which got at these issues. Unfortunately, not everything came to us. Our work with the Office of Management and Budget, it becomes more and more difficult, and Judy probably could add some other things to this, in that there are many requirements for economic assessments, economic impact, assessing the impact on industry, large and small, that we need to provide the Office of Management and Budget. And, and it is an oneness task. And so, yes, not everything has, it did come to us in the ANP, and to some extent we might have to find a very clever way to deal with some of these questions, if we don't get the data. But, if we have the data, that will help the process.

DR. JAN: Okay. So, you jumped to two, right?

MS. JOHNSON: I am sorry.

MS. LOGUE: Can I make just like a quick tongue and check comment here? Have you got any money in the kitty to pay for research to do this? There are researchers out there who would be gunhoe to do this for you. I can speak on behalf on a friend of mine who would love to do this kind of work. I know it is kind of tongue and check comment, but you might have to do that, if it is not available.

DR. POST: Well, or be very clever in the way we come up with conclusions. But, you know, that just gets time, as we get to it, to O&B perhaps.

And we have done a lot of digging. We have worked with some groups. Alice mentioned the National Cattle and Beef Association, the National Pork Council. Actually, I was an advisor or a consultant with them in the work they did and actually attended one of their focus groups. So, that helps, that helps. Fortunately it was never really given to us.

MS. LOGUE: But, what I am thinking here is, USDA, NRI, CSRS, have called every year for food safety research proposals. They sent out a whole, you know, thing of guidelines with areas that they want research done in.

DR. POST: Right.

MS. LOGUE: I mean, if you slipped even one or two of these into the guidelines.

DR. POST: Okay. To be blunt, I am not sure if you could package this as a food safety issue. There are food safety aspects.

MS. LOGUE: Well, maybe not food safety, but what about IDCON food safety issue, because it is still, there is an economic food safety thing as well.

DR. POST: And that is a good point.

MR. LINK: There is a group out of Virginia Tech that is working on something similar to this, that is food safety nutrition coalition. Lester Crawford's group up here at Georgetown is working on the same.

MS. LOGUE: He is FDA now, isn't he, he moved?

MR. LINK: Oh, I don't know. The group he was with, is now associated with the Virginia Tech.

MS. JOHNSON: Do we want to try to couch your recommendation, that they look at --

MS. LOGUE: Yes.

DR. JAN: Might as well address Question two since we are working on it and then we will come back to one.

MS. LOGUE: We might have an answer for that.

DR. JAN: So, and I think that is what we are hearing.

MS. LOGUE: Sorry, for jumping ahead.

DR. JAN: We will go back to one after we do number two. We will go back to one.

I think what we are seeing here is that, the committee members, they don't have the data, but you mentioned Lester Crawford's group, is working and that maybe something FSIS should contact him and get that data, but --

MS. LOGUE: Well, there are a lot of those kind of research consortia out there like that. I am a member of another one, the National Alliance for Food Safety. And they, Les Crawford used to be involved with that as well. But, those are kind of consortia, any of those groups, if you could approach them and see if they have this data, if not, and is there a possibility that you could say, okay, we will channel a fund that you guys can go after. This is how some of the USDA has been able to channel money down a certain consortia already.

Said, we have this fund, if you guys would do this kind of research, you can have the share of the pot. And there are groups out there that will do this for you with no problem. Especially at the academic level, I can tell you that now.

MR. LINK: That group out of Tech, I am really not on the committee, and I am not getting anything out of this, but they do have a synopsis up here December 5th or 6th, up here in town.

DR. POST: Now, with regard to the second question, now, it is not consumer information, because I think we are satisfied with consumer information, you know, consumers' views, you know, whether consumers even consider food standards or even understand whether they exist. That kind of data we have and we have worked with FDA in achieving that kind of data.

MS. LOGUE: Okay.

DR. POST: But, it is really the, the relationship between the impact on public health and food standards as they exist now.

DR. JAN: Public Health goes beyond food safety.

DR. POST: Right. Yes.

MS. JOHNSON: Well, in some of the anti microbial ingredients --

DR. POST: Right, that is point to this, that.

MS. JOHNSON: So, kind of a call for research, try to get a confirmation, and try to get this on the research agenda.

MS. LOGUE: Put this, what you want to do is put this out on some of the RFPs and these RFPs come out on a regular basis. And USDA has one in January. There is another one in May. I can't remember. They are just the food safety ones that I know, because they are the ones I go after. But, there are other ones in the area of agricultural economics, or economics. IDCON has taken on this idea of IDCON in relation to food safety and economics of food safety. This kind of comes down to some of what you are looking for here, but, maybe in their calls, their RFPs. I think that might be worth considering, you know, see if you can find out when they have an RFP and could you put this in an additional area or something like that. I don't know.

MR. LINK: What is an RFP?

MS. LOGUE: It is, what do they call it?

MS. BAYSE: Request for proposal.

MS. LOGUE: Request for proposal.

MR. LINK: Oh.

MS. LOGUE: I am so used to just seeing it, I never can remember the words.

DR. JAN: And I guess on there we will put, information not already available might need to, I guess, the RFP, would that include funding?

MS. LOGUE: Yes.

DR. JAN: Okay.

MS. LOGUE: Request for, what you do is when you set out

the call, you say how much money is available in this area.

DR. JAN: Okay. And that would cover the --

MS. LOGUE: Suggests, suggest that you would fund proposals up to a certain value.

DR. JAN: Okay.

MS. LOGUE: You know, put a cap on how much they are worth, maybe, $100,000.00 proposal, I don't know, say you fund half dozen of them, like that.

MS. JOHNSON: When you say USDA does this on a quarterly basis.

MS. LOGUE: The USDA is one of these crowds that have call for proposals, but they are not only one. There is a whole reg of them out there. But, in terms of what we are looking at here, in meat and food safety and all this kind, the USDA is probably one of the best routes to go.

MS. JOHNSON: Since they are trying to solicit the information, yeah.

MS. LOGUE: Yeah. It is probably, probably one of the best ways to do it, I don't know.

MR. LINK: But, would FDA be looking at the same information? What is the link between these standards and --

DR. POST: Oh, absolutely, information that, well, they would be interested in it, well, then they need to meet the same information needs as we do, is, is not the case, because they deal with different needs.

MS. JOHNSON: They do a lot of their own.

DR. POST: At the Office of Management and Budget. Their requirements to get a rule through are slightly different than what we have experienced. So, that is why I think some of these might be peculiar to USDA.

MS. RIGGINS: Also FDA can do its own research.

DR. POST: Right, and the fact that their own --

MS. LOGUE: So, they may even already be doing this kind of work. Are they or is there a possibility that they could be?

DR. POST: I would say no and I would say probably in their list of things that they have to do, they are probably not concentrating on meat and poultry products, which is where we need to focus.

MS. LOGUE: Yes, yes.

DR. JAN: Okay. We will go back to number one and get some general comments regarding the strategy and the guiding principles. I think we had a pretty good explanation of it. So, I think maybe we can get some general comments, I mean, like, you know, I think, my feeling is, I don't know how you can change it. It sounds like a good track to me.

MS. JOHNSON: Yes, we can support guiding principles for the development of petitions for consideration for proposed rulemaking.

DR. JAN: That is my feeling and if anybody has any

other feelings.

MS. LOGUE: Yes.

DR. JAN: Then I think we --

MS. LOGUE: I don't see anything wrong it.

MR. LINK: We need the road maps so we can go into --

DR. JAN: Right.

MS. LOGUE: Yeah, and there may be that there are certain standards that don't need to be modified.

DR. JAN: Right, exactly.

MS. LOGUE: But, if there is, there is a, as long as they are consistent with FDA, the principles are consistent with FDA.

MR. LINK: They will be identified.

MS. LOGUE: Yes, yes.

DR. JAN: Okay. Then that moves us to three.

MS. DONLEY: Can I ask a question on that?

MS. LOGUE: Never mind, we are back to number one.

MS. DONLEY: Can I put on the brakes, sorry? Where in this does, for instance, in the guiding principles would, the bottom of the very second page, it just talks about modernization, it says "These alternatives include the", and then the bullet point, "the use of a lesser amount of need for poultry and standardized food products." Where does that fit in with this guiding principles, I mean, something like, because I assume right now that there has to be, to be able to called chicken

soup, there has to be a certain amount of chicken in it. So, I am having trouble --

DR. POST: Understanding.

MS. DONLEY: Putting this with the guiding principles, yes.

DR. POST: Okay. Well, in an advanced notice, one of those, one of those things about rulemaking, in an advanced notice we are exploring a position that the Agency has or reactions for position the Agencies, in this case, both agencies, expressed. And in doing that, we ought, even though we are recommending an approach, we have to consider alternatives. So, I was providing extra information here to show we had considered alternatives. We had considered that. Maybe there is just a wholesale lowering of meat and poultry contents, that is all that is necessary in modernized food standards. We considered that as an alternative. We, and we laid that out in the advanced notices of proposed rulemaking, that the Agency has considered, both agencies considered that. We considered requiring food labels to declare the percentage, the percentage labeling for quantitative ingredient declaration, you know, that is an approach that could have been used to modernized food standards.

We also advance an idea that maybe this is a third party thing. Maybe some third party authority somewhere could manage the whole system of determining what, what consumers expect in this meat and poultry and other food products. And in

doing that, we came to the conclusion that, no, I think, we think these guiding principles approach, laying out ways for, for a checklist, that industry could apply themselves in coming up with really substantive petitions that wouldn't require debate and could essentially be published and promulgated. That was a better bet.

So, then when we took that position, the responses we got to that position, the responses for the ANP are showed, the hundred or so comments, that, yeah, that was a reasonable approach.

MS. DONLEY: Okay. But, if an industry wanted to say, okay, we want to reduce currently X percentage, there must be X amount of chicken in chicken noodle soup, it would still go through a rulemaking process to be able to change that standard from, if they said we wanted to change it, it would go through rulemaking.

DR. POST: Yes, it would. It would be that petition to change the meat content requirement if that is what, that is what is desired by this consensus driven petition that we receive.

MS. DONLEY: Okay.

DR. POST: So, it doesn't preclude that we couldn't lower meat contents. We were suggesting that the only thing needed to fix standards was to just lower meat and poultry contents.

MS. DONLEY: I bet that didn't go over well.

DR. POST: No, no, it didn't with the meat --

MS. JOHNSON: If we, I don't know if we want to be real specific about what we are doing right now, but, if we worked on question one, maybe refine the wording a little bit to reflect that, you know, we are supportive of guiding principles to be issued consistent with FDA, that would be allowed for the development of a petition that would be later used for proposed rulemaking or something like that. So, that it is pretty --

MS. DONLEY: It is --

MS. JOHNSON: Yes, because it is kind of confusing.

MS. DONLEY: Yes.

MS. JOHNSON: So, I think -- We are supportive of the establishment of guiding principles to be consistent with those developed by FDA for the development of petitions, that the Agency can use

to --

MR. LINK: If they --

MS. JOHNSON: Yes, if appropriate, they can use for proposed rulemaking. I think that is a great idea.

MR. LINK: And basically what happened with the pizza?

MS. JOHNSON: Yes.

DR. POST: Well, and they have heard me long enough, and, and copied down every single guiding principles I ever suggested could exist. So, that, yeah, that is why --

MS. JOHNSON: And you think we don't listen.

DR. POST: And so, they have heard long enough that, you know, there is an approach and they more or less worked according to guiding principles.

MS. JOHNSON: Good.

MS. BAYSE: Is there a time line in which --

DR. POST: What we would hope to do, what we anticipate in our proposed rule, is to, in fact, put into 9 CFR, to the Code of Federal Regulations, these guidelines, these guiding principles, there to use it. If you want to, if you want to add or remove anything from 319 or what would be a combined section in the future, Part 400 something, this is the approach you would take. So, perhaps that would be the starting point for everybody retooling behavior so food standards that currently exists in our regulations. You know, we might even consider that over time, if no one has claimed an interest in any of these standards, perhaps it is one that no one has interest in and perhaps is out lived its usefulness. That is also a potential. At some point you should have a refreshed set of, an updated set of standards that reflect today's consumers' needs as well as industry's needs.

MS. BAYSE: Okay. So, it is going to be driven by the proposal.

DR. POST: Yes, yes.

DR. JAN: Okay. Okay. Let's go to three, then.

"What is the process used by representatives in the meat and poultry industry, consumer groups and others to identify

the need for change to an existing food standard or the creation of a new standard?" I think those were the questions we were asking, isn't it?

MS. JOHNSON: I think we would consider, you know, consider your trends, you know, the move toward the low fat, the consumer dietary habits, new innovations in ingredients for anti microbial, as Robert had mentioned. What else did we look at?

DR. JAN: Research and reports. There seems like there is always, every now and then --

MS. LOGUE: Somebody will always do a study on something.

DR. JAN: Yes.

MS. LOGUE: And then discover that it is no use anymore.

DR. JAN: Lower the cholesterol and next time we will be raising it because we find that it is good to have it, and so you have all these different trends.

MR. LINK: We do focus groups with consumers, we have focus groups with consumers and ask these kinds of questions, what do you want. So, we know what to develop. That and just consumer correspondence we get, you know, people asking questions or, you know, why aren't you doing this, which leads you to maybe do it.

MS. JOHNSON: Have we covered changing --

MS. LOGUE: Changes to, why else would you change them

if, if somebody suddenly proves this chemical preservation is no longer safe? You know what I am saying? Or if the Europeans decided it is not a good idea, they won't accept your food, that is a big one. Just like the growth hormones in the cattle. So, it can be outside market pressures.

MS. JOHNSON: Yes. Market, or just market pressures in general.

MS. LOGUE: Market pressures.

DR. POST: And that is, that is domestic as well as international market.

MS. JOHNSON: Yes.

MS. LOGUE: Yes.

DR. POST: As well as global, I think.

MS. DONLEY: I think, too, unless I am misunderstanding this question, I think that there would be a need to question a standard or create a standard if on the part of consumers if they were suddenly noticing that standards have lowered. That the, that something that they had a pre-conceived notion of what something is, try to make a little clearer, a change, yeah, that, that, you know, this widget that we all eat, suddenly other things are being called widgets that aren't what we are used to as a widget.

DR. JAN: I think, I think what you are speaking to is the reason that we need to continue to have some standards.

MS. DONLEY: Right.

DR. JAN: So that when you make that widget. And I think a good example is and people, you mentioned the consumers really don't understand it anyway.

MS. DONLEY: Right.

DR. JAN: But, hamburger, for example.

MS. DONLEY: Right.

DR. JAN: So many times you get a hamburger somewhere and it is half soy and half beef, and that is okay, because it is called a beef patty. But, people are still buying it as a hamburger, but when you sell it or market it as a hamburger, you can't have the soy. And I think that is the gist of it.

MS. DONLEY: Right, exactly.

DR. JAN: So, we need to continue to have --

MS. JOHNSON: Is that part of the consumer correspondences that you are talking about, Charles, from an industry standpoint? Do you get complaints that --

MR. LINK: What happened to the product? It used to be this.

MS. JOHNSON: Yeah, what happened.

MS. DONLEY: There is confusion on the part of consumers on what the heck is it I am eating anyway.

MR. LINK: I think we had some of that at lunch today. What is this?

MS. DONLEY: Where did you eat? I don't want to go there.

MR. LINK: It was good, it was a good restaurant, it was just, has some strange things in it.

DR. JAN: But, at least, even though, you know, consumers may be confused, it needs to be standard for industry, because somebody is selling hamburger, they all need to sell the same hamburger.

MS. DONLEY: Well, industry doesn't want someone else doing it, either.

MS. JOHNSON: That is right.

MS. DONLEY: Right.

MS. JOHNSON: What else? Trends would cover changes in the population, the aging population.

DR. JAN: I think it would.

MS. DONLEY: But, also the ethnicity of the population.

MS. JOHNSON: Good.

DR. JAN: That would make the demographics, I guess.

MS. JOHNSON: Yes.

DR. JAN: Because you are right, we see a lot more things that we didn't see before, although it may not be food standard or standard identity for it. We see a lot more goats being raised and slaughtered --

processed food, I think, too.

It is called, you can have turkey ham, I wonder if you

can have goat --

MR. LINK: It is called turkey goat.

DR. JAN: It might be.

MR. LINK: Do the principles.

DR. JAN: I guess the goat ham would be closer to than a turkey ham.

MR. LINK: I don't know.

DR. JAN: At least they have got part of a body that looks like a ham.

(Pause.)

DR. JAN: Okay. Anymore on three? We will move to four.

Okay. "Does the Committee have any data on the cost to industry for compliance with good standards, such as time, resources, trade, competition, and compliance?"

MR. LINK: I don't know. Anything, I don't have any.

MS. LOGUE: That is from an industry point of view?

DR. JAN: Yes, that is sounds like from an industry point of view.

MR. LINK: Research on behalf of the industry.

DR. JAN: That is something you look at it, but you might have more antidotal data than you would have documented data. And I don't know if you ever need that. I am sure you have some, but, whether you can rely on that.

MS. JOHNSON: Can we ask --

DR. JAN: Yes, that is fine.

MS. JOHNSON: -- have any industry data?

MS. LOGUE: Industry and otherwise --

MS. JOHNSON: Yes.

MR. SEWARD: I think that would easier for industry to generate that.

MS. LOGUE: Would they give it away, though? Would they give it to us?

MS. JOHNSON: Well, if they wanted to change, is some of this not a part of the guiding principles that there would be certain data gathering requirements for each petition that you would submit?

DR. POST: Actually, no, I mean --

MS. JOHNSON: If they told you they want to do a petition, Robert, you say, give us data?

DR. POST: The data, the rationale or the benefits and the cost to industry are ours to assess, although we are always asking for that information to help us. But, it becomes a matter of us in preparing and responding to all these executive orders, that we have to in preparing a proposal.

MS. JOHNSON: But, it is not, in any of the guidelines.

DR. POST: No, there is no way we could say, hey, if you want this, give us all the data. Show us, yeah, to show us that it costs you a lot to meet the standard and -- although, you know, that could be part of the rationale, that could be part of a support. It could be done better, you know, change this

process or this technology, because it enables us to give the consumer the same product or the product, you know, with better characteristics.

MS. LOGUE: But, if we change a process or technology, industry is going to want to know how much it is going to cost them.

DR. POST: Yes.

MS. LOGUE: They won't do it overnight for nothing.

DR. POST: Sure.

MS. LOGUE: So, you have got to have someone go in there and bean count and tell you whether it is worth it or not and how much it is going to cost.

DR. POST: Right.

MS. JOHNSON: And I think you would find that --

MS. LOGUE: Again, that is money, that is research.

MS. JOHNSON: Yes. Again, I think from an industry standpoint, that, I think there is something we can change because, you know, either obstacles to food safety, interventions that we want to put in or, you know, it is just an old standard, costs money, dah, dah. I mean, generally, we have a reason for trying to do that.

Robert, when you, you are going to publish these guiding principles in the Federal Register and say this is when you look at food standards, you should look at these, petitions

should be written that encompass these guiding principles, I am assuming.

DR. POST: Yes.

MS. JOHNSON: Could you put some sort of statement that you could get away with from O&B that talks about, you know, any data gathered might consider to support the petition.

DR. POST: It is hard to, we will take that as a recommendation, but I have to think about whether our general counsel, for example, would, would believe that we could say as part of these guiding principles, we would require data to show that this is a better process than the one that was previously used, or this is better technology. It seems to me it is inherent in the petition, that if somebody wants to change the standard, here are the economic data.

MR. LINK: Maybe in the preamble, where you can --

DR. JAN: As part of the rule, the preamble is generally the cost to small business, but that may not be the same question you are asking here, or to cost, cost to Government and cost to business, to any rule. And this is a --

DR. POST: Exactly. I mean, if we are to consider this overall, this major change to our approach to food standards, we have got to show that there is some benefit and or acknowledge that they are costs. But, perhaps in streamlining standards, there is less cost for compliance.

DR. JAN: Right.

DR. POST: There is more, is there a greater costs for determining compliance with an added water at the point of formulation kind of standard, versus one that requires just measuring the dryness of a product somewhere in distribution.

MS. JOHNSON: I think it is inherent and whoever is developing the petition, they probably have done it based on data they have. One of our concerns from an industry standpoint, when we petition, when we do something the Agency likes data, but sometimes it is very confusing from an industry standpoint about what data the Agency feels is appropriate. And it is pretty much spelled out in these questions, what you are looking for. And, you know, if that is made public when people go to do their petitions, and that could certainly speed up and save time and energy and money on not, not gathering information that is not going to be of value to the Agency. Because I think we do a lot and what we think is appropriate, the Agency doesn't.

DR. POST: And that is what we want to avoid. We want to avoid receiving something and then, and then getting it, tooling it --

MS. JOHNSON: I mean, having to ask for additional.

DR. POST: -- yeah, and fixing it. So, I don't want to put words in your mouth, but are you saying then that perhaps we should consider a guiding principles to say that, that submissions or petitions need to incorporate data or include data to support any new technology, new processes?

MS. JOHNSON: I think it should be somewhere in there. I am almost afraid that this is what these guiding principles, if you have these and FDA has approved them, or you, guys, all agree, and, you know, could it be somewhere in the preamble when you describe this is what we expect in a petition. And "the" is though to say data should be given, be as specific as possible with the kinds of data you want.

MR. LINK: Other things to consider. Data, cost, whatever.

MS. JOHNSON: It looks like if these are the questions you are asking this Committee to consider, then these would be pretty much the type of data that you would need in order to act on any petition.

DR. POST: But, also these are the data we need in order to have a complete document, a guiding principles document. The proposal still needs to establish that there is a benefit for changing the regulations. Or that there are acknowledged cost, but overriding it in some way, because, you know, there are more benefits than costs.

MS. JOHNSON: Right. Somehow.

MR. LINK: So, do we need to then get some data? Do we need to try to get to the industry and find out what people have --

DR. POST: This is a gap. This is something I know from our economists, in our own scientists' view, there is no, there

is nothing that we have right now that would tell us what the cost is to a company or to a trade area, to comply with, you know, the hot dog standard.

MS. JOHNSON: But, that would be specific for each one of the 80 standards in place. We would be looking for specific data. I mean, it is not like we can put out a blanket request for, okay, give us everything you have got that causes, you know, the standards. You would have to look at each one individually. And some of them, there may be no need to change.

DR. JAN: And there is, if there is a cost to non business and the standard is accepted by industry, this cost ought to be extended to everybody. But, if there is something, I would think that a standard make the product not marketable because the consumer is not going to buy it, now, then, I think all industry is going to say the same. But, you are making turkey hot dogs and you are making pork hot dogs, or whatever, you still have to meet that hot dog standard and they both meet the same, so basically the costs are going to be the same, I would imagine.

MR. LINK: I think there may be some standards that might differ from red meat to poultry. And from that standpoint, there may be an economic issue.

DR. JAN: Well, there might be.

MR. LINK: That you could argue that, if I could do it this way, I can save X dollars. And I guess that is what you are

looking for. So, there may be some of that. So, we would have to look at every one of them.

MS. JOHNSON: But, I do think that needs to be in, if not in the principles, somewhere in the outline where you announce the principles for the petition, so that it is clear that there needs to be specific data for both.

DR. JAN: Data. Well, cost data, or industry cost data would be included in the proposal, or in the petition.

MS. JOHNSON: Yes. Somewhere or another for people to understand that this needs to be in there specifically what type you are looking for.

MR. LINK: But, I am going to ask the question again, do we need to go and get data on all the 80 different standards?

DR. JAN: I don't --

MR. LINK: To support the rulemaking.

MS. DONLEY: On a case by case basis.

MS. JOHNSON: No, wait a minute.

DR. POST: Well, you are talking about, you are talking petition versus what we need here to have this a completed approach.

DR. JAN: Right.

MS. JOHNSON: So, for just the publication of the principles, do you need information?

DR. POST: Right.

MR. LINK: That is what I am --

DR. JAN: So, you need, okay.

DR. POST: And so if you were to take and I am not sure of one meeting, one standard represents, you know, it could be rationalized or extrapolated to all standards, but, you know, pick a really oneness standard, and it is probably, to measure compliance for the hot dog standard, it might require the costs of doing moisture analysis and certainly times and temperatures and other aspects that are written into that very descriptive standard. And maybe that is the worse case scenario. But, we don't have that information, we don't know what it costs for a poultry processor to make poultry hot dog or a beef processor to make that beef hot dog. And make sure they are measuring up to the standard.

MS. JOHNSON: Maybe we could survey members, help get, I don't know that we want to ask for specific information from each one of the standards, but maybe we could survey members for the purpose of getting the guiding principles published and see if there is any information available.

MR. SEWARD: I think from an outsider looking in, I am not sure it is quite clear why that is relevant to the publication of the guiding principles. Because I think you said very clearly that that is the cost of doing business. I mean, if you say what is the economic impact of meeting the standards, what you are saying is out of that $3.49, that you are charging for your product, how much of that does it cost you to make your

products, because that is essentially what I hear you asking for. And I think, you know, obviously, manufacturers are going to be somewhat reluctant to provide that information, this is what it costs us to make this product and this is what we are selling it for. You know, there is a gap there. That is our margin. And so, and so I am not quite sure the rationale behind wanting that information has quite been made clear.

DR. POST: Okay. It is, in fact, to, the idea here is that we have got information needs and impact needs, impact on industry. If we are requiring industry to do something different, which is what we would be doing in this case, we have got to, have got to show that there is some benefits, perhaps this is, and I am leading into a discussion that we are working on now, perhaps streamlining standards in this way, by following a consistent set of guiding principles, you spend less time, you know what the Government wants. You know how to package the petition. And that whole process is less, paperwork. It is more direct. It is transparent. It is everything that is good. We can make that argument, but we have got to know what exists right now, to say that it is better than what exists right now. We don't know.

MR. STINEHORN: Well, the information would not be --

DR. POST: Well, generalized information is certainly helpful than none. And right now we don't know, I mean, nobody has really ever shared with us, whatever it costs to meet the

requirements we have in place right now. So, that we could say, if we remove all of this and we are not into developing standards for ourselves, but we are adopting what industry and consumers have told us should be adopted, that, you know, that it is a benefit in doing that. We need to show that.

MR. STINEHORN: I do think, the comment that you could probably get a number of companies who could give you quality information, various transactional costs and compliance, the loss business costs opportunities -- But, you are going to need industry to give you --

DR. POST: Oh, I am not necessarily looking for dollars and specific dollars. And if, if we, even if we have ballparks, that is fine. I mean, look at paperwork requirements. We have got to judge, or we have to estimate how long it takes to fill out a form.

MR. STINEHORN: But, then you could get information that if you had to do moisture analysis on a product and you could hypothesize the sampling scheme of X number of products per production --

DR. POST: Right. Well, I can see someone saying that is so product specific or company specific, you know, based on the volume, you know, and their sampling volume. But, I could say that, but even to identify that those are the costs for compliance is a lot better than, we are in a better position having that, that information that we don't already have.

Because I couldn't begin to tell you what a beef processor or a poultry processor has to do right now to comply in terms of cost.

DR. JAN: So, what do we have there? We have questions, huh?

MS. JOHNSON: We just made number four into four A, B, C and D questions.

DR. JAN: So, we have made more questions out of it.

MS. JOHNSON: Yes.

MS. DONLEY: So, we have gone into reverse.

DR. JAN: Okay. And we don't have all those answers and that is something that, I guess, somebody is probably going to need, if you need those answers, approach some industry, maybe some trade associations or trade group, maybe they can help get that data and, and then not --

MR. STINEHORN: I think it just -- An appropriate vehicle for companies that want this participation, would give comment to this Committee, for the docket, would that be, in terms of follow-up?

MR. LINK: I am sure that can be done.

MS. JOHNSON: If you want to do it so that companies aren't identified, we can run it through trade groups, somehow or another. If there is an issue with the companies' identification.

DR. JAN: And that may be, and that may be with, we say that emphasize goes, requests information through trade groups,

for what you specifically are needing.

MS. JOHNSON: Right.

DR. JAN: And --

MS. JOHNSON: I was trying to think how we worded some of the, when we were looking for additional data for the HACCP petition, and we put it back in the committee on the responsibility of the industry, to come up with data. And I was trying to remember how we worded the recommendation that industry get together and supply some data. But, that is pretty much sounds like we need to do. Because if you, guys, asked for it, then we have to go through OMB, it is an act of God.

DR. POST: Right, you know, we are not surveying.

MS. JOHNSON: It is an act of God to get permission to do that.

DR. POST: And, and on our own we are not likely to get the data for various reasons.

MS. JOHNSON: Right.

DR. POST: You know, we go to one company or many or even a trade group. I would consider, too, that, you know, think about the effects in small businesses, that is something that we need to put in, in our consideration here, that the costs for developing new standards might be more for small businesses than it would be for large business.

MR. LINK: So do we need to add this emphasize request through trade groups or that we, this group recommends that trade

groups survey the industry?

MS. JOHNSON: Lee, do you guys have a little more latitude for asking those businesses you regulate for information, do you have to go through the same kind of or at a different level?

DR. JAN: Well, it depends on, I mean, we can ask them. Generally if we want information about industry, we would generally go to, like in Texas, we would through the Texas Association of Meat Processors. We will go through them, rather than going through --

MS. JOHNSON: Individual.

DR. JAN: Directly to the plant. Now, there are times that we may want some data and but it generally would be maybe some common interest, something that the industry wants also and then we would be like the focal point to gather information. So, we may send the survey directly to all our inspected plants. But, just to come up with information, you know, for something that we want specifically, we generally go through the trade groups.

MS. JOHNSON: Directly to the trade group.

DR. JAN: An example would be what interstate shipment issue was and we need some information. All the small plants were very interested, so, they would be, they would want us to go them with that data. But, you know, if there is something else, then we would just go through trade groups.

MS. JOHNSON: Okay.

DR. JAN: So, I guess the question would be, would the Committee want to recommend that FSIS go through the trade groups or the Committee generally, once we are disbanded, we don't have a role to go to the trade groups ourselves, but is that something you can do or can't do? If the Committee recommends that FSIS contact trade groups, can you all do that?

DR. POST: Well, on the fact of it, that is a reasonable recommendation, but, in terms of actually getting the information we need, we haven't been successful.

MS. RIGGINS: Right, we have asked for it -- But, if we were to go out with a questionnaire, with specific questions, the answer is no, we couldn't do that without OMB.

DR. JAN: You have to go through OMB.

MS. JOHNSON: What if we changed the recommendation and put FSIS requests and that gets you, guys, out of any kind of a loophole? And let's put stakeholders shall, you know, survey somehow --

DR. JAN: Recommend stakeholders.

MS. JOHNSON: Yeah, instead of just industry because, you know, the consumer groups may very well want to gather data, too, for why this is a good thing.

DR. JAN: But, we are talking at this particular question, is cost to industry, so consumer groups aren't going to --

MS. JOHNSON: Okay.

DR. JAN: Have data on cost to industry. I think that is may be a question in here, though, that would --

MS. JOHNSON: That would relate --

DR. JAN: -- the same answer would be to consumers, but industry is going to have to provide that data because --

MS. JOHNSON: Okay. The question, all right, sorry.

DR. JAN: And I don't know that, do we change that from FSIS' request to --

MS. JOHNSON: Recommended that industry or something, so that it is not like it is coming, because if you act on something that says FSIS requests, can you not get in a legal hoopla with somebody?

MS. RIGGINS: No, I mean, that is what we do in our Federal Register, you know.

DR. JAN: Right. That is the --

MS. RIGGINS: We request the information from the public.

MS. JOHNSON: But, you have to go through the Federal Register process.

DR. POST: Well, I mean, that serves as a proposed rulemaking is a way to get at that data. We made that --

DR. JAN: So, then, I guess --

DR. POST: It seems to me, though, in a sense of relatively, I mean, there is information out there. There is a

cost for complying with the standards as they exist right now.

DR. JAN: So, now we have recommend --

MS. JOHNSON: How about industry determined of available data to provide or something like that. Does that capture --

DR. JAN: Recommend that industry requests, wait a minute. Yeah, recommend industry, is that --

MR. LINK: And history itself requests.

DR. JAN: Oh, oh, okay. Recommends industry requests --

MR. LINK: And I wasn't sure what the rest of it was.

DR. JAN: How would that process, how would that information get to industry to make that request from this Committee? I don't know how this Committee would, would ask industry.

MS. JOHNSON: We make a recommendation from the Committee --

DR. JAN: To FSIS.

MS. JOHNSON: Well, yeah, we would get into the schematics. When we did the HACCP petition and we were looking for additional data, and the industry groups, based on the recommendations from the Committee, whatever, however it was worded, got together and tried to pull up, pull data together.

MS. LOGUE: Asked them to volunteer it?

MS. JOHNSON: Huh?

MS. LOGUE: Asked them to volunteer it.

MS. JOHNSON: Yes, I mean, yes, some of the trade groups

that are all represented at the meeting, you know --

DR. JAN: Oh, okay, for those that are --

MS. JOHNSON: Yes.

DR. JAN: And I guess they are not all there, but --

MS. JOHNSON: Yes, most everybody connected.

DR. JAN: Connected one way or another. Okay.

MS. JOHNSON: Yes.

DR. JAN: That would be the way to go then. So, then this Committee would recommend that industry groups through their trade associations provide this specific cost information.

MS. JOHNSON: Can we make that kind of recommendation? I mean, we don't recommend specific, we make recommendation from the policy. Okay. Okay. We can try to work through our little coalition groups to see what is available.

DR. JAN: Okay.

MS. JOHNSON: Let's just get rid of all the questions we made up.

DR. JAN: Okay.

MR. LINK: I am just writing real thoughts down. She will be typing up the final, which will not include all of the thoughts you have come up with.

MS. JOHNSON: The fact we have had more questions than answers won't be recorded.

DR. JAN: Okay. So, do we want to move to number five, now. Is everybody kind of satisfied with four? Okay.

Five is "Is the Committee aware of any research available regarding consumer and industry perceptions of food standards to support the rulemaking process?"

MS. LOGUE: Is that --

DR. JAN: Quantitative study.

(Pause.)

DR. JAN: And that is it, huh? Nobody else knows about any research.

MS. DONLEY: I will bet there is tons of data out there, I would think. I have a company last year show -- that information.

MS. LOGUE: Would companies do their own studies for this kind of stuff or hire a private marketing company to check this out?

MS. LOGUE: Sure.

MS. DONLEY: Can you get them to volunteer this information again?

MS. LOGUE: Skip, put on your old hat, I am sure McDonald's did that kind of --

MR. SEWARD: Repeat the question again, because I think it pertains to the rulemaking process, right, the research --

MS. JOHNSON: It is specific to the perception of food standards.

DR. JAN: Is the Committee aware of any research

available regarding consumer and industry perceptions of food standards to support the rulemaking process?

MR. SEWARD: The new rulemaking process.

DR. POST: No, it is just --

MS. JOHNSON: It is just the standards in general.

MR. SEWARD: The current process.

MR. LINK: Yes, because, you know, I think most, from industry, most consumers aren't familiar with the standard making process. So, you know, they are, we heard that comment earlier that consumers are not necessarily that well informed about what that process is. So --

DR. POST: But, the question is one of, remove the phrase at the end and "Is the Committee aware of any research available regarding consumer and industry perceptions of food standards?"

DR. JAN: Okay. Don't worry about that.

DR. POST: Right. And the reason for that is that we need to support why we are doing this in the consumer's interest. We are protecting them the way the Acts and Regulations say we need to, to promote honesty and fair dealings.

MR. SEWARD: And I would say that I don't think industry has done research to evaluate perceptions by industry or consumers on standards. They have been producing foods to meet the standards in order to facilitate selling and marketing those foods to the population at large. So, I think they wouldn't be

the best resources to research the impact of the standard process. They are involved in making products that meet the standards in order to sell those to consumers, who expect to get a certain thing when they buy a product that is consistent with the standards.

MS. JOHNSON: There may be, I agree with Skip, there may be some research that is close to what you are trying to get at here, but, I don't know that any company because has actually done specific research for this, a specific food standard. There may be other, you know, consumer focus groups, whatever, around that would provide data that could be interpreted or related to this, but anything specific to the food standards.

Charles, do you have anything?

MR. LINK: I don't think so.

MS. JOHNSON: Gladys, are you aware?

MS. BAYSE: No, I was thinking about the document that was passed out that was --

MS. JOHNSON: Yes.

MS. BAYSE: But, the intent of that that was really consumers hardly know what a food standard is. They just are concerned about the label, if I read that correctly. So, I don't know.

MS. DONLEY: And that they expect to have it be very clear to them exactly what it is that they are buying.

MS. BAYSE: Right.

DR. JAN: So, I guess the answer to five basically is, other than this study that was done for National Pork Producers and National Cattlemen Beef Association, we don't know of any --

MS. JOHNSON: Specific food standard.

DR. JAN: -- leave that out there.

MS. JOHNSON: It is not out there.

MR. LINK: I think as you proceed down the road of getting to this new process for standards, you might see this kind of work evolve. Because that would be one of the driving forces.

DR. JAN: I think, I think it would be good to know.

MS. JOHNSON: Yes, but it would be, in here, in the petition, that this type of information would be gathered, be specific for -- standards.

DR. JAN: That would be the driving force to even change that standard.

MS. JOHNSON: Yes, I am sure the companies would do that kind of work to change it, a specific standard.

MS. BAYSE: But, that still doesn't help you.

MS. JOHNSON: Yeah.

DR. POST: Well, if you are looking at this as a matter of consumer benefitting by a system of food standards and here we are proposing that standard should exist albeit simpler, or a more flexible form, then, you know, we have got to make the case that consumers will benefit and, and, you know, that consumers

will benefit and industry will benefit from having these systems.

Now, we could say that the advanced notice of proposed rulemaking led us to conclude that the industry who commented indicated that they should be simpler, but, they should exist. So, there is perhaps one way that is not really --

DR. JAN: It is not real research.

DR. POST: Quantitative research, right. Right.

DR. JAN: It is some source of information regarding that.

MS. JOHNSON: And there are other ways to look at benefit, as some of these other questions have looked at, benefits to the consumers beyond this perception, you know, the food safety aspect, the costs, the diet trends.

Question five being --

DR. JAN: Yes, I think so.

DR. POST: Well, except for the --

DR. JAN: Except for this document.

MS. JOHNSON: Yes.

DR. JAN: And then --

MS. JOHNSON: Yes.

MS. BAYSE: If I looked at that correctly, that is really a small number of responses. Did I read that correctly? Thirty --

MS. JOHNSON: Thirty --

MS. LOGUE: There were three cities and 10 people in each city.

MS. DONLEY: I think 10 people in groups of 60.

MS. BAYSE: Oh, 60, sorry.

DR. JAN: That is small.

DR. POST: And that goes back to think that, you know, if there is a system that should still be maintained, then somebody sees some value in it. So, where is the basis for that, that value? And a lot of it is, as you have discussed, perhaps it is priority and maybe it is sort of worth that, internal information that keeps one company competitive with another. But, still, you know, we knew about that, that the pork producers, but we didn't have that data. So, that is useful.

DR. JAN: And maybe some day when people realize that the nutritional labeling has some, means something and not just a bunch of lines on the package and the people start using that, you may not need standards, because then they can say, they can make the judgements based on nutritional labeling. But, I think consumers aren't there. And so, you know, I think in standards, but, the research, you know, it is just not, I guess it is not there.

Okay. So, we have got that done for five. Anybody have any more on five? Okay.

Okay. Six, "Is the Committee aware of any economic harm to industry because enforcement of outdated food standards or the

absence of a way for industry to modify current food standards?"

Now that is something here for industry.

MS. DONLEY: Please repeat the question.

DR. JAN: The question is, "Is the Committee aware of any economic harm to industry because enforcement of outdated food standards or the absence of way for industry to modify current food standards?" So, has anybody suffered, know of any industries that have suffered because they couldn't, they couldn't meet the standard or had to meet an outdated standard?

DR. POST: Here again, this is a question that would be posed to us if we are saying this is a public health benefit that, you know, a public health need, a consumer protection issue. Well, one could say, well, this is, what we have right now is suffice to meet consumers' needs. But, in order to change it, we need to show that perhaps there is some economic harm or in the absence of some clear, concise road map, there is an economic harm to companies. And that could be. I mean, if you can't make a product because of the oneness approach to submitting, you know, petition.

MS. JOHNSON: I was thinking, you know, just the whole type issue that went though, you know, inability to use that, a known anti microbial for so long and the economic end, public health harm.

MS. DONLEY: But, it is sounding to me like there has, for anything to be changed or modified, there has to be a

perceived cost. There has to be a reason, an economic reason to change these things.

DR. POST: Yes, an aspect of proposing something new or amending the regulation would require showing the benefits and showing the, the costs and weighing them, you know, in terms of what exists right now versus what we are proposing.

MR. LINK: Part of the -- I am sorry. Go ahead.

MR. STINEHORN: No, you go ahead.

MR. LINK: I was just saying part of the cost of them is more benefit to a consumer if we could be an ingredient in that is going to provide a safer product. That may not be an economic cost, but it certainly is a benefit to a consumer. And the best --

DR. POST: Well, it is a benefit and if a company can't produce products that meet consumers' needs, I guess there is an economic negative there, you know, they could, or provide a safer product, or, you know, yeah, a safer product. I mean, perhaps the consumers would benefit, but because of the system we have in place right now, it takes so long and it is not clear and there is no concise system, road map to follow, there is some negative there.

MS. JOHNSON: Yes, just the cost of getting everything together for the petition and going, jumping through the hoops to, you know, getting the regulatory requirements, let me rephrase this. Just, that, you know, the Agency, it was a matter

of process. The Agency realized some of these ingredients do enhance microbial properties, but you have to go through the process. And that, if there is economic damage to the companies, in that they can't go ahead and use this, the new technologies.

MS. DONLEY: I am not getting a sense, though, from industry that there is a, an associated, that this is, all this is killing us to, to conform to these standards. Am I missing something here?

MR. LINK: I think we can say it is the cost of doing business.

DR. JAN: Cost of doing --

MS. DONLEY: Yes.

DR. JAN: I think that you have already done, addressed some of this, if you think about, an economic harm, could have been done to an industry for loss of market share if they couldn't produce low fat wieners or something, which, you know, if you couldn't produce low fat wieners, then you might have turkey franks, but you might not be able to have a competitive red meat frank. But, now you can make them because of, you know, some of this other stuff, you can do that. And I think that is, that is an economic harm to industry. But, I don't know any data, except that why else would that have been important enough to have that interim rule so that you can allow and that wasn't necessarily that it cost more, but they are losing market share because people were concerned about high fat and saturated fat,

cholesterol and they could get that from one segment of industry and not from the other, until that other made some kind of changes and a food standard could prevent that change.

MS. JOHNSON: Yes. I think, I am sorry, it is more of, it is not killing us right now to do, to meet with food safety standards, but it is preventing us from exploring other technologies that may benefit.

MS. DONLEY: Well, not the food safety standards, but just standards.

MS. JOHNSON: The food, yeah, the food standards.

MS. DONLEY: Standards, food standards, period. I don't know, I guess I am just, I kind of, with this I am getting the feeling of where a little kid trips and will pick himself up and go right along with nothing, but what we are doing is rushing over to the kid and say, oh, are you hurt, are you hurt, and let me kiss and make it better, and do you need a band-aid.

MR. STINEHORN: There is actually quite a bit of downside to the current standards for industry. And if you would like I could go through a half dozen of them for you, just as an illustration.

MS. DONLEY: I would love it.

MS. JOHNSON: Yes.

MR. STINEHORN: Okay. A couple of things, I guess one is, which Robert would be aware of, is I think some companies submitted to NPR, some illustrations about certain examples, or

issues, maybe it didn't come through loud enough or there wasn't a consensus that kind of broke through their comments.

One example would be a meat minimum. If you had, let's say a meat spaghetti sauce, with meatballs, let's say. And you had to have 25 percent beef in the product and a company wanted to market a product with 20 percent beef, either because it allowed them to qualified for reduced fat claim or because it allowed them to offer the product at a cheaper price, where consumers would go into buy it, or for any number of other reasons. You would have two choices under the current rules. Either you could put 25 percent in the product and be stuck at a certain price, for a certain profile nutritionally, or you could call it something else. And as I said, something else is what I think many of the companies are most concerned about. The something else would be like a spaghetti with beef flavored meatballs or a beef, a meat flavored sauce with spaghetti, or other things in terms that consumers will never buy. So, that, if you ask a consumer would you be willing to buy a product that had eight percent less beef and it changed your price, lowered it by 50 cents, a product, would you buy it. The answer might be yes, but then if you asked them would you buy that product if it was called a flavored beef sauce with spaghetti, the answer would almost always be no.

MS. DONLEY: But, to just that particular point, that is one where I think it is, you have to have standards. Now, I am

not saying that the 25 percent is that right number or not, but I will tell you what, there I think then you are really cheating the consumer if, if there is, I think you have to have some sort of a minimum standard there. Companies can certainly go out and look at some of these, you know, the Prego Soup Company, that has gone out, you know, it is a meal in a bowl, where they add, it is a lot of extra chicken and someone's else is a spec of chicken or something. I think, I think there are certain things in that case where, I think consumers would get very, very perturbed to learn that, hey, listen, Company A is doing this, and they would feel cheated.

MR. STINEHORN: Yeah, I think one of the notions is the consumers would be making their own judgements about whether or not they want to pay less for a product with less meat, or whether they would feel ripped off by doing that.

And I think it was Carol Tucker-Foreman mentioned this morning, CFA had always been a big proponent for the pizza proposal, and really the sense there is, as long as you, you have enough meat or poultry to make it available to USDA inspection, that companies can market just about anything they want and consumers can make expectations about whether they want to pay more for pepperoni pizza with 10 little slices on it or 20 slices on it. And the notion, I think in the preamble was that consumers would, are in a position to make judgements about what they want to buy.

So, it is, on the one hand it is why I always buy the -- - or difficulty, you do have a bit of tradeoff between managing consumer expectation, which is the principles, but, at the same time, not making it so strict that you have all this -- And I think you can look at the incremental changes in the standards over the last 10 years, you will see, well, maybe you are not seeing now, for example, reduced fat pepperoni was, you couldn't do it for years and years and years, and there were a lot of people out there in food service, who otherwise had no problem using the reduced fat pepperoni. And there was no problem with the consumers who brought that reduced fat pepperoni. But, you couldn't call that pepperoni, you had to call it imitation pepperoni. The Agency did move for reduced fat pepperoni, Robert mentioned this morning the policy memos that memorialize that policy. But, that is the kind of the swing that occurs. And so, there is a lot of companies, I think, that are kind of at the point where we tell consumers what is in the product, they have agreed it is safe, but they haven't issued a fat statement, but we want to be able to get these on the market. So, a lot of the costs are of lost opportunity costs, if you will.

MS. DONLEY: Well, then I think you have, then it would have to be very clear that it is, that it, if it says it is pepperoni pizza or whatever to your example, or your meatballs with, you know, minimum, it is kind of like buying ground beef, you know, there is different grades of it. I think you are going

to have to get into a grading system somehow. And is that opening up even a bigger can of worms?

DR. JAN: Reduced beef, meatballs.

MR. STINEHORN: Well, the other thing which I would feel we missed -- let me talk, I will stop in a minute. Is that there is a whole range of, not to go off the agenda, but there is also a whole range of informal standards, that aren't those 80 CFR standards, that also place restrictions on minimums, etc. So, when you ask industry what is the most, or some folks in the industry, what is the most concern, they will point to the 80 CFR standards. Can we change the rulemaking and the standards labeling policy book, which is rather thick, which has been -- attempt over the years to have consistency in the rules and serve a common understanding. But, I think even Agency folks would recognize that some of those entries are probably a little bit dated.

DR. POST: And with regard to that last point, we are not in any of this considering nor will there be any acknowledgment that there is a policy book in this effort. In our view policy book standards have not been, we haven't, we haven't operated according to the Administrative Procedures Act in getting public input.

MR. STINEHORN: But, as a practical matter, those standards --

DR. POST: They exist right now, but that is a separate,

that is a separate activity for us to consider changes to those policies, standards. And so, this is just focusing on the 80 regulatory standards we have. And perhaps what we have in policy should be part of the regulations.

So, you know, and a lot of it, the reason we have this question and it is still a question that we have to deal with in developing this rule, is that there is a lot of antidotal information. And I think there is a lot of commonsense kind of thinking, or logic, that would say, if you have got a standard that requires 25 percent meat in a beef stew, but today's consumer doesn't care about 25 percent meat, you know, 10 percent and a lower fat claim, is what they really want. You can make that, you can connect that.

MS. DONLEY: But, there is a second part to this question then. What is the economic harm to consumers when suddenly you change that thing, because I will tell you what, they have invested this money in a can of beef stew thinking they are getting, you know, a certain, a certain amount of beef in it and suddenly now it is different. And in the meantime they have lost money. So, I mean, you have got to look at that, that side of the economic issue as well. I know I would be darn ticked off if I went in and brought a pepperoni pizza and there are two slices in it, meets the --

DR. POST: And you are touching on one of the issues that makes it more complex than what they appear to be, a silly

thing. You know, it is where the beef?

MS. DONLEY: Yes.

MR. STINEHORN: There is also style and preparation issues. There was a time when USDA would not allow you to call something stir fry on the front of a frozen food package. The manufacturer didn't stir fry it in their home. That policy has changed, but there were some companies that for years were told you can't use stir fry at all, and then the policy gradually evolved, leaving certain companies the opportunity to sort of take advantage of the new evolving policy and other companies would say, wait a second, we were told two years ago we couldn't do that. And I think, at least from a USDA perspective, I would guess that it is one of the inherent difficulties of regulating by standards is that the food industry can be very dynamic and response to consumers response invocations or safety. And it is awful hard to use in the standards to keep writing a new standard, writing a new standards. So, I think some of the inflexibility about things like stir fry and, this is no reflection of the Agency, it is just the rules are stuck with -- You can't call a product country style, you can't call something country pepper steak, or that, but, country fried steak or pepper steak. There is a geographic area that is designated by the local county as a rural or country area.

DR. POST: But, that is a labeling issue.

DR. JAN: That is labeling.

DR. POST: It is not a food identity issue. That requirement is in --

MR. STINEHORN: So, you are talking about the 80 standards. You are not talking about those --

DR. POST: No, no, this is not labeling. This is not labeling and what makes a label false or misleading or not false and misleading.

MR. STINEHORN: The 80 standards, don't refer to the country --

DR. POST: No, no, no, no.

DR. JAN: But, there is a, the country ham has a standard.

DR. POST: Right.

DR. JAN: And it would be critical that that standard is maintained, because that is a specific kind of ham and people that buy country hams expect this, is it, I think, dried cured as opposed to being pumped and those kinds of things. So, you know, there are standards that the consumers have come to expect by their name, but yeah, what you are talking about, you know, country fried, that is, it is not a standard, it is labeling.

MR. STINEHORN: Yes, I see, I misunderstood.

DR. JAN: Right, yes.

MS. JOHNSON: But, I think there are definitely certain standards that industry doesn't want a blanket, let's do away with all standards -- There are certain standards that the

standards need to be looked at individually, case by case.

DR. POST: And just to clarify, I mean, we are talking about pot pies, meat stews, hot dogs, cured pork products, which include ham, ham and water, ham, water added, spreads and there is a whole slew. I mean, on the poultry side there is a lot of very specific standards of composition, turkey terrazine has to have 12 percent turkey. I mean, things like that, they are that explicit or that simple, but that specific in terms of poultry products.

But, altogether, there are about 80.

DR. JAN: Okay. So, we have kind of talked about, got some information for Question six. We are down to running low on our time, so, we probably should move onto seven.

"Is the Committee aware of any implications of federal food standard modernization on state regulations or international food standards of identity?"

(Pause.)

DR. JAN: Yes, I think generally state regulations are, get their lead from the Feds and I know from the meat, poultry inspections, the same standards the Feds have is what the states have. Now, if you go beyond and look at state FDA, I don't know, but then that would be outside of meat and poultry. So, so, the only implication that that would have would be if it meant additional testing to, for verification or something. But, it would be no different than what the Feds would be doing. We

wouldn't be having anything different.

DR. POST: So, so, in states that there is a standard for cured pork product and it required, we have the PFA system right now, I mean, that is the same standard --

DR. JAN: Same standard, in fact, we, you know, we do ours through your system, although, do you all still do it? I don't know.

DR. POST: Yes. Well, no, we have the requirements.

DR. JAN: You have the requirements, right. For that one, we would put our product into the federal pool and get selected for PFA sampling. But, but, it does, something else, if you say we need to test, like you were talking about, dryness at the market level, place, rather than formulation, well, that would be maybe a cost that we would pick up, but, again, I think that the answer is as far as --

DR. POST: I think that Alice was saying because of --

MS. JOHNSON: Yes.

DR. POST: That would affect interstate sale.

MS. JOHNSON: Yes, and that is pretty much federal oriented. There have been -- have the state variation.

DR. JAN: Yes, I mean --

MS. JOHNSON: On labeling at least.

DR. JAN: And I think there was some issue that, I think in the labeling, it is pretty much said, the state cannot label different or can't make a label claim that is not approved at the

federal. So, so, that wouldn't, so, already done, follow the federal food standard, and we will continue. If they change, they would change with them. That would be it.

DR. POST: And I think somewhere along the line, I think in the comments received on the AMPR, there may have been some, not many, that talked about the need, if you make a change on the federal level, there is a tickle down effect. And suddenly you have effects on states, you know, adopting. Hamburger is a good one. You know, there are a lot of state and local views in terms of that being fat content and, and what might be a lean or extra lean ground beef or hamburger. So, we want consistency. And we just wanted assurance at least through asking this question that, that, you know, if in fact there are implications we cover them.

DR. JAN: Yeah, they would, they would, I mean, the implication would be that standard is enforced at the state level or that food standard is enforced at the state level. Same standard at the state level.

Okay. Finally, "Does the Committee have any evidence that shows that modernization of food standards will result in greater product diversity in the marketplace?"

I don't know.

MS. JOHNSON: Well, is that part of the new low fat, is that not evidence that by changing standards you can get different type of products.

DR. JAN: I think that is good evidence.

MS. LOGUE: Nutri salts, nutri salts, all things -- The only one I can think of is light -- You know what I mean, but they are going to some way that they will modify --

DR. JAN: -- meatballs have salmonella or E.coli.

MS. LOGUE: You know what I mean.

MR. LINK: Is this an opportunity for us to utilize meat and poultry products as a source for nutrisuitables, or is it --

MS. LOGUE: I don't know. That is what I am saying, you know.

DR. POST: Actually though, you have, this is where, where we talk about labeling and we talk about standards, you deal in the area of labeling and we don't have any system right now that talks about labeling products with health or labeling products as foods for special dietary use. So, we just don't have labeling regulations. And that is, you know, it is not, that standard is what goes into the product that would then lead to the product being called something. And as long as it is consistent with the labeling regulations, that could happen.

MR. LINK: So, that is outside the scope of --

DR. POST: It is, it is.

But, so, what I am hearing you are saying is the lower fat, the reduced fat, the, even that lower cholesterol or the fat free types of products are a way of measuring --

MS. JOHNSON: Are examples of the need to --

DR. JAN: Yes, I think that is good evidence. I think that is --

MS. BAYSE: Fat free now tastes better than they used to, so I don't know, none of the rest of you have to worry about fat, fat free things. And I don't know what has happened, but --

MS. LOGUE: It is just the technologies have improved.

DR. POST: It is fat free fat.

DR. JAN: Yes.

DR. POST: Now, in terms of that or evidence, or evidence, it says evidence here, here again it is just one of those situations where I think we have a good feeling that there is evidence out there, but, perhaps companies are, or even trade groups are aware of market research that goes on. In the federal level we don't have any involvement in that kind of market research.

MS. JOHNSON: Well, would that be R&D products that you are exploring -- You do some research and development product that maybe doesn't meet standards.

MR. LINK: That is a waste of time and energy.

MS. JOHNSON: Okay. That is it.

MR. LINK: Would a marketing committee, NTF or FDA, would they have in place?

MS. JOHNSON: It could be asked. Go back, see Question four.

DR. JAN: Yeah, we could go back to the same thing on

this.

MS. JOHNSON: See Question four.

MS. BAYSE: And I think also the fact there is so much more available then there was before you did your interim regulation, whatever, to allow the flexibility. Nobody else buys this stuff but me, obviously, but, you know, low fat blueberry muffin, makes low reduced fat --

MS. LOGUE: That tastes terrible.

MS. BAYSE: No, it doesn't.

MS. LOGUE: It does.

DR. JAN: How about low fat ice cream, that doesn't make sense, but they make that now.

MS. BAYSE: Fat free. And it is actually edible.

DR. JAN: So, obviously there are product out there that we all have seen, but whether or not there is any research done to the support, I don't know if it is necessary, but --

MS. BAYSE: Well, how would the companies' expand their offerings if there wasn't some justification in terms of their marketing.

MS. LOGUE: Well, it is always to look to a market, aren't they?

MS. JOHNSON: We go back what did we say on Question 3, you know, know, you go back to why you would try to do diverse products based on --

DR. JAN: Customer trend.

MS. JOHNSON: Customer trends, dietary habits.

MS. BAYSE: Dietary habits, right.

DR. JAN: Okay. Any final comments?

MS. LOGUE: Worry about the international --

MR. LINK: On number seven?

MS. LOGUE: Yes.

DR. JAN: Oh, international food standards. I don't know. Has anybody thought about that?

MS. LOGUE: Well, from your point of view, I have no idea. There are different -- You, guys, export meat and stuff to Europe. They have got to meet European criteria.

DR. POST: Yes.

MS. LOGUE: I have no idea what they are.

DR. POST: And that is it, to see if there is another standard, is there any aspect of good --

MS. LOGUE: But, there are a whole set of standards in Europe. I mean, you can go the website and they are there. But, I just don't --

DR. POST: Essentially to any country that accepts U.S. products, or meat and poultry products, there would, there would possibly be different standards.

MS. LOGUE: Yes. And there used to be different standards for each country, but now they are all trying to, if you go to Europe, all, they all kind of under the one level now. I think, what they have done is, you have to adopt all these

other rules, whether you have them in there or not or whether your own standards are different, in different countries.

MS. JOHNSON: And you are looking at harmonizing in the guiding principles, you talk about some --

DR. POST: Yes, and then explaining why there is a difference. So, if we were to assess, or if we were to make that guiding principles, that consideration has to be made to consider harmonization first and if you want to be different, explain why you are different. Then, you know, we have got the situation of rationalizing and supporting that as a guiding principle. And it makes sense, but, what implications are there for -- And that is where perhaps, you know, the trade groups and the companies that are represented might have an idea of how difficult it is to export products with the standards we have, in meeting domestic requirements. Or how easy it is for or how hard it is for a country that wants to export products to the U.S., to actually meet our standards.

MS. LOGUE: That is more difficult. Especially if you are going -- There are not many European products you will find on shelves over here.

DR. POST: Well --

MS. LOGUE: Not a lot of meat --

DR. POST: Not beef?

MS. LOGUE: Well, it is true. Beef is a no no right now. But, even other stuff, you know, it is --

MR. SEWARD: I think you big international players in the meat and poultry business have production facilities all around the world and therefore, they are producing in those countries according to what that country needs versus, you know, export, except for raw meat and poultry -- I think your big players are in those countries.

MS. JOHNSON: There is a, Robert, didn't AMS, Charles, do you know, I know they worked on like turkey, I mean, specific for turkey cuts, and turkey parts where they were trying to come up with a uniform standard on the raw. They were working to try to --

MR. LINK: Yes, and the only problems there are typically processing issues not product --

DR. JAN: Okay. I guess that is it. We will put this together and pack it up.

MR. LINK: We will have it available, we will not only have a hard copy for everybody, but we will also put on the screen so everybody in the audience can follow along during the deliberation.

DR. JAN: Okay. Thank Everybody for attending.

(Whereupon, at 8:40 p.m., the meeting was concluded.)