UNITED STATES
DEPARTMENT OF AGRICULTURE

In the Matter of:

EXTENDING USDA'S MEAT AND)
POULTRY INSPECTION PROGRAM)
TO ADDITIONAL SPECIES)

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UNITED STATES DEPARTMENT OF AGRICULTURE
INSPECTION METHODS STANDING SUBCOMMITTEE
NATIONAL ADVISORY COMMITTEE ON MEAT AND POULTRY INSPECTION

In the Matter of:

EXTENDING USDA'S MEAT AND POULTRY PROGRAM TO ADDITIONAL SPECIES

Wednesday,
November 3, 1999
Quality Hotel
Room 4960
1200 Courthouse Road
Arlington, Virginia

The meeting of the Inspection Methods Standing Subcommittee was convened, pursuant to notice, at 7:00 p.m., by Chairperson KATHLEEN HANIGAN.

APPEARANCES:

Kathleen Hanigan, Chairperson,
Farmland Foods, Missouri

Terry Burkhart, Member,
Wisconsin Department of Agriculture

James Denton, Member
Director, Poultry Science, University of Arkansas

Caroline Smith DeWaal, Member
Center for Science in the Public Interest,
Washington, D.C.

Dale Morse, Member
New York Department of Health

APPEARANCES:

Audience:

Maggie Glavin
Linda Helms
Del Hensel
Dr. Amy Raines
Dennis Sexhus
Linda Summerhour
Ken Throlson
Neil Young
Dr. Robert Post, USDA

P R O C E E D I N G S

(7:00 p.m.)

MS. HANIGAN: All right. We are missing Dale, but we are going to go ahead and start, and Alice Johnson is home ill. We have got two hours, so this is how I am going to run the meeting if you will.

From 7:00 to 7:30, we have got an old issue that we are going to bring up, and that is campylobacter, and I have asked Maggie to come and just kind of give us an overview of what may have occurred at that microcommittee meeting in Chicago.

At 7:30 promptly, we are moving into the extended USDA Meat and Poultry Inspection Program to Additional Species, and then we will be on that topic from 7:30 until 9:00 o'clock, okay? This first topic is going to be limited to one-half hour, and it is going to be -- I guess it is on campylobacter.

And you have been gracious enough to say that you would record this on the flow chart.

MR. YOUNG: Yes.

MR. HANIGAN: Okay. So would you give us --

MS. GLAVIN: I missed -- I didn't -- I was not at the microcommittee meeting in Chicago that dealt with this; I certainly heard about it. But Karen called me -- as you know, she had to leave our meeting today to go up to something else -- and she called me and said that she was

concerned about one line of discussion, and that line was a real concern on the part of this committee, that the microcommittee had sort of taken policy positions and, you know, started -- did not give back a strictly scientific response but got into the policy discussion.

And Karen's observation, having not been at that, but also not having heard your earlier debate, was that the way you asked the question invited that committee to move into policy.

You didn't ask them for a strictly -- well, you did. I think the first request was, on what basis do you do a standard, but then you said, "And can you give us some alternatives?" So her concern that she voiced to me that she asked me to relate to you was, if you don't want them straying into policies, be very careful how you phrase your question.

Her second concern was in terms of the first question, that they in fact have given you an answer. Now, it is not an answer that everybody is happy with, but the answer that they gave was: "Based on the current data, we can't do this. We will revisit this in a year when it looks as though you have additional data on which to answer that question."

So she was a little concerned, you know, understanding that, understanding his disappointment that he didn't get an answer, a better answer than that, saying, "Do

it sooner than a year," when what they were saying was, "We think in a year we can get data that will enable us to answer this."

You know, she is not sure what -- you know, that's fine, we can do that, we can send another request in, but she just wanted you to be aware that they may not be able to respond to that.

MS. HANIGAN: So I have a question. Would it be Karen's understanding that they -- they being the microcommittee -- did not even return options to us because there was no data, that they just could not even come up with any options?

MS. GLAVIN: I don't know the answer to that. I'm sorry.

MR. DENTON: The best one that comes into my mind, looking at it from a scientist's perspective, without good solid scientific information, it would be really be hard for me to sit down and look at something that would be an alternative to a former standard.

I simply need more than what we have right now to go either way. Now, that said, I am not about to put words into that committee's mouth, but that's the way that I would see it.

MS. HANIGAN: The other thing, though, is that there is one person on the committee who attended that meeting, because apparently Karen wasn't there.

MS. GLAVIN: Right.

MS. HANIGAN: And you weren't there, and none of us were there. But Nancy Donnelly did actually attend the deliberation, and over dinner she expressed concern with me that they did stray very much into the question of, if we give them an idea on a performance standard for this, they'll want one for listeria next, or they strayed far off the field of campylo.

So she also mentioned that during the whole committee deliberations on it, one particular scientist, who used to the head up the Minnesota Department of Health, strayed even further afield into the question of irradiation: "And maybe we don't need any standards. We just sit here and radiate everything.

So it did sound like it went pretty far afield from what we were hoping to get back.

MR. BURKHART: Weren't we looking for some suggestions from a scientific standpoint, what they could do to lower the incidence of campy? Not necessarily from a regulatory standpoint, but from a scientific standpoint --

MR. DENTON: Just from a scientific, yes.

MR. BURKHART: -- what would they look like?

MR. DENTON: And that brings us back to what I see are the three major issues in dealing with this particular bug. One is that we don't have really solid baseline data over an extended period of time like we usually have in most

instances with regard to salmonella and some of the others.

MS. DEWAAL: Can I ask a question?

MR. DENTON: We are drawing from 20 years of experience on that.

MS. DEWAAL: Can I ask a question on that though, because the Department does in fact have baseline data --

MR. DENTON: I understand that.

MS. DEWAAL: -- for both chickens and turkeys --

MR. DENTON: I understand.

MS. DEWAAL: --and it's the same data that we are using to develop the standards for salmonella?

MR. DENTON: Yes. But --

MS. DEWAAL: So I really --

MR. DENTON: Hear me out on this just a second, Carol. We are talking about something which the industry and every scientist worth his salt who is working on salmonella, has spent a lot of time and energy in trying to define the ecology of the organism, trying to understand the methodology that we use to quantify the organism, and trying to understand something about which we can make a rational decision about how we would reduce the organism.

Now, in campylobacter, we don't have that good backlog of information. I probably used a bad choice of terms. We don't have 20 years worth of information in which we really intentionally focused on. We are beginning to collect the baseline data, probably within the last two

years. But we don't have really good, dependable methodology. We are still in the process right now of trying to validate a method that came out of ARS as the means by which we quantify this particular organism.

But the most difficult part of it is what we do in regard to recommending intervention strategies by which we would reduce that particular organism. It doesn't respond the same way that salmonella does. We have had some real difficult times trying to figure out what we tell anybody in the industry or anyplace else that's really trying to focus on campylobacter, exactly what they should do to reduce the level and the incidence of that particular organism.

I think that in looking at that, we just need to continue down the path of trying to develop that particular information. The baseline is probably the most important part of that, because at least it gives us a snapshot about where we are.

I read what has been sent out in the information that came from Kay, and there is even some question with regard to whether or not we are still at the same levels that we were dealing with as short as three and four years ago with regard to the prevalence information. So I think we have to have some sound information about which to start to make a reasonable decision in that.

MS. DEWAAL: May I just note that it has been my experience that with almost every pathogen, we start with

this discussion, which is essentially, we don't know enough and the industry doesn't know what to do. And a lot of us were around as we watched the Agency grapple with E. coli 015787.

And the exact argument you have just made was put on the table by the beef industry. Well gosh, when you start setting up a zero tolerance performance standard, which is essentially what we have with O15787, although the Department doesn't call it that, suddenly the technology providers got active, and a lot of people got very active in helping to address that problem.

And notably, this last summer we didn't have one major outbreak from O15787 linked to beef. Now, we had a big one, and it was linked to water. But we have seen a change in how --

MR. DENTON: We've gotten lucky.

MS. DEWAAL: Well, who knows?

MR. DENTON: We got lucky.

MS. DEWAAL: But things are changing and maybe it will --

MR. DENTON: Okay. What did we do to bring that about, other than luck?

MS. DEWAAL: Well, if you --

MS. GLAVIN: No, I wouldn't agree. I mean, I think the major thing -- and this is not something that the Department did, but the major thing is that the fast-food

industry regulated how they cook hamburgers. There aren't outbreaks related to fast food any longer.

MR. DENTON: I wouldn't go with you on that one. Is that research based or is that simply an application of what we already knew?

MS. GLAVIN: I don't know. You know, I think it is bringing a lot of things together, and I think also the use of a steam vac and the use of pasteurization.

MS. DEWAAL: The steam vac and pasteurization.

MS. GLAVIN: The study that AMI is doing right now will tell us whether those are working.

MR. BURKHART: Consumer awareness is probably --

MS. GLAVIN: Yes, consumer awareness. So, I think it's -- I mean, none of these have an easy answer.

MR. DENTON: It's the education. I mean, everyone got published on it.

MS. GLAVIN: Yes.

MR. DENTON: And in that one, I think the problem all along was an improperly cooked burger.

MS. HANIGAN: Let me ask you this then. They've got a meeting coming up in December. Do we simply ask them again, do you have no options for us either? We understand there is no performance-standard basis, because there is not enough data. But you have no options for us either? I mean, is that we need to do, to go back and say, there's no options?

MR. DENTON: That's where I think we go back to what you were saying earlier. I thought I remembered the fact that this committee was going to -- that particular committee from talking about this issue of campy, and what we would do if we were not going to go down the route of establishing a performance standard, what would be the other alternatives -- and really kind of open up the box just a little bit better with regard to defining what the question was.

Now, you made that point earlier --

MS. DEWAAL: But the question as we framed it wasn't just on alternatives, and all day, as you've been speaking, all we hear about is alternatives. But they had some specific things to answer in terms of the actual performance standards, what they would recommend.

So, it may be beneficial for us to try to meet with them, but I want to be clear that the question is not just about alternatives.

MR. DENTON: No.

MS. DEWAAL: It is about how a standard is worked.

MR. DENTON: They answered that question with regard to the performance standards, and that's a fact that they summed up information. They did, I think, address samples, but I don't think they did a good job of giving us alternative means by which we would address this particular food subject issue or public health issue, beyond that.

We didn't get anything back with regard to the fact that we need more data to look at, from a performance-standard viewpoint.

MS. HANIGAN: Well, let's --

MR. DENTON: And I think that we can do a better job of communicating that particular question to them and say, "Folks, just don't think about this in terms of just a performance standard, but what further mechanisms, or methods, or approaches might there be."

MS. DEWAAL: But that's where -- and I think, now you've made the point very well, we may be getting more into the policy, and *we're* supposed to be doing the policy.

MR. DENTON: Well, there may be some scientific things out there beyond just what we normally do from the culture-identified count.

MS. DEWAAL: I just -- I almost think that --

MR. DENTON: That is what we were asking for, as I understood the question, is that it's something different than really sitting out picking and counting that campylobacter, and then setting a level and saying, "That is our performance standard." We wanted to look at something other than that. Did I understand that?

MS. GLAVIN: Could you give me an example of what somebody really might be out --

MR. DENTON: Well, they probably talked about it just a little bit whenever they looked at ways by which you

address the issue about getting bound up in performance standards, by looking at some of these other technologies that we know are effective at either producing or eliminating irradiation.

Now, I realize, that one was far afield, but the irradiation solves it. It solves the public health question. Now, they didn't come back with that as a means by which we address the issue.

MS. DEWAAL: It's not a regulatory tool?

MR. DENTON: It's a scientific tool.

MS. DEWAAL: Well, you can't mandate irradiation?

MR. DENTON: No, but they are going to have to look at it as a scientific model.

MS. GLAVIN: Is the irradiation at the levels that are permitted in the current regs? Does that --

MR. DENTON: For poultry?

MS. GLAVIN: Yes.

MR. DENTON: I am not sure. I think it probably would. Now, it won't get -- the one concern that I've had all along was that it doesn't reach -- at the currently approved levels -- at the currently approved levels for poultry. But now, it would get, it would probably get --

MS. DEWAAL: I would agree with you.

MS. GLAVIN: Well, what be the incentive for industry to use irradiation? I mean, they could use that today.

MR. DENTON: And some of them make the decision to do that.

MS. DEWAAL: That's right. I mean, what we are trying to do -- they have had the ability to irradiate since the early nineties. I mean, in terms of the government having to take action, the only next step the government could take is mandating that all poultry be irradiated, and I don't think that's an acceptable --

MR. DENTON: Yeah, but we all know that there has been this inherent resistance to the use of irradiation.

MS. DEWAAL: But a performance standard could drive the industry to use irradiation.

MR. DENTON: Or we could simply go --

MS. DEWAAL: Or to use some other --

MR. DENTON: -- and use irradiation right off the bat.

MS. DEWAAL: But there must be another technique that is less expensive --

MR. DENTON: I agree.

MS. DEWAAL: -- that the industry might want to use.

MR. DENTON: I think that is what we are asking for their committee to tell us -- I mean, without taking the extremes of --

MS. DEWAAL: But a performance standard will get us there.

MS. HANIGAN: Okay. Terry, what do you think? I mean, I'm watching the clock, and we've got 10 minutes. What do you think?

MR. BURKHART: My expectation was for them to assess campylobacter and make some -- identify some areas that they can use or would suggest that would reduce the load, whether that be some different slaughter procedures, some chlorine type rinses, or some things that they could do to reduce the incidence.

MS. HANIGAN: So what is the matter with going back to the December meeting with a more pointed question, that says, "Is there --

MR. BURKHART: "Based on your knowledge of this particular disease --

MS. HANIGAN: "Based on your knowledge" -- go ahead. Go ahead, Terry.

MR. BURKHART: I would just throw it out there. "Based on your knowledge of the organism, and the spread of campylobacter disease, what suggestions you have for reducing the bacteria load, and what controls can be implemented by industry that would help reduce it?"

And get something from a scientific standpoint that we can use. Maybe establishing a limit or something, a performance standard, is down the road. But I think we have to know a little bit more about it first.

MS. HANIGAN: What have you got there?

MR. YOUNG: I have got reduce the load. After that, what types of interventions could be used. You did say that.

MR. BURKHART: Suggestions they may have from the scientific standpoint and health control prevalence of this organism. Now, the data would show that it is very, very high.

MS. GLAVIN: Well, do you want to ask them for what control, or what interventions, exist that would help to control it? Is that --

MR. YOUNG: I think we wanted to learn what options.

MS. HANIGAN: Current interventions --

MS. DEWAAL: Why do we think scientists would be more knowledgeable than some of the poultry producers on this commission? I mean, I guess --

MR. BURKHART: Aren't some of the scientists --

MS. DEWAAL: -- I am questioning why -- well, I mean, they have given us their input, and I am not sure that we are articulating the -- I mean, if this is really a policy discussion, then maybe we should be the ones grappling with it rather than trying to send it somewhere else.

MS. HANIGAN: But if we go with that they have given us their answer, well, then clearly the answer is that there is not information with --

MS. DEWAAL: For the scientists.

MS. HANIGAN: But that doesn't mean that -- I mean, setting a performance standard is something that is done in a policy context.

MR. DENTON: But based on the scientist.

MS. DEWAAL: Well, certainly, but we have the public health data. We know that campylobacter is causing an extraordinary number of illnesses. It is one of the top causes of illnesses from known happenings. So we know that already.

MR. BURKHART: Do we know the infectious dose?

MR. DENTON: No.

MS. DEWAAL: No. And we don't know for most pathogens.

MR. DENTON: Nor do we know at what level to set that performance standard, because we really don't know where we are right now.

MS. DEWAAL: Then why --

MR. DENTON: Performance standards by their nature that were set were less than what we currently see it.

MS. DEWAAL: We have the same data that we had used to set salmonella.

MR. DENTON: Now --

MS. DEWAAL: The same thing with salmonella.

MR. DENTON: Yes, that's what I just said. They are set at less than where we currently sit, but nobody can

tell me where they currently sit right now. We have not finished the baseline.

MS. HANIGAN: Then why don't we hold back and ask the committee in December to address that, and then why don't we put it back on our regular agenda for full committee discussion in -- whenever we meet, March, or April, or May. I mean, put it back on our agenda for the next meeting where we can have discussion about it.

MS. GLAVIN: What are you asking them? I am a little concerned about that wording.

MS. DEWAAL: Okay. That it is again

MS. HANIGAN: The suggestions to reduce the load sounds to me like what policies do they have to reduce the load, but the suggestion mechanisms to controls, or inventions to controls, or something like that.

MR. DENTON: Well, an alternative for controls.

MS. GLAVIN: They are not alternative. It is what mechanisms for control --

MS. HANIGAN: Or interventions, I heard what you are saying.

MS. GLAVIN: Interventions keep coming up. You know, is it a rinse, or is it slaughter -- what you were saying, Terry.

MR. BURKHART: Yes.

MS. DEWAAL: To reduce the load though, what do we mean?

MS. GLAVIN: To reduce the prevalence.

MR. DENTON: No.

MS. DEWAAL: The load on human illness or the loan on turkeys?

MR. BURKHART: Well, if you are making a link factor to reduce the amount on the herds, and a significant reduction on --

MR. DENTON: If you are making an assumption that it reduces --

MR. BURKHART: Well, we made the same connection on salmonella.

MS. GLAVIN: On poultry carcasses.

MR. DENTON: That's the way we strategized.

MS. DEWAAL: But why are we saying based on your knowledge of the organism spreading disease? Because that gets into the human --

MS. GLAVIN: On poultry.

MR. BURKHART: On poultry carcasses.

MS. DEWAAL: Can we take out that based on your knowledge of the organism's spread of disease --

MR. DENTON: Based on the ecology of the organism, what do we know --

MS. GLAVIN: Based on the ecology of the organism, and not the spread of the disease. Is that what you are saying?

MS. DEWAAL: Yes, because -- well, my concern is

that the beginning will get them into a whole net of where they are, because why get them into a whole debate on what we know about the spread of disease, which is not where we want them to focus on. We want them to focus on the intervention.

MS. HANIGAN: So based on your knowledge of the organism is what you want and cross the organisms?

MS. DEWAAL: Yes.

MS. HANIGAN: That would be one. What mechanisms/interventions --

MR. YOUNG: Are available to reduce the load.

MS. DEWAAL: Okay. Are available to reduce the load. Understanding. I think as a subcommittee and the full committee should understand that we may have as much knowledge on that issue. We are asking for their opinion. But realistically given the makeup of our committee, we may have as much knowledge on that question as they do.

MS. HANIGAN: And then we cross out this whole bottom, what do you have to control the prevalence. We cross all of that out; is that correct?

MR. YOUNG: Or what mechanism and intervention, the same type of phrasing, are available, sort of prevalence.

MS. DEWAAL: I think that is repetitive.

MS. HANIGAN: So that is going to be our question back. Based on your knowledge of the organism, what

mechanisms and interventions are available to reduce the load on poultry carcasses. And then we will ask that we put campylobacter back on our next agenda.

MR. DENTON: Should we restrict it just to poultry, or should we include swine?

MS. GLAVIN: You have hit my level of ignorance. It doesn't take long.

MS. DEWAAL: I don't know how much of it is on swine. Is it increasing?

MS. HANIGAN: Yes.

MR. DENTON: It is -- George Burns and some of his crew --

MS. HANIGAN: Okay. Say on poultry and swine carcasses. I mean, we are going to get back into a bunch of interventions later in irradiation, which then -- or some other stuff, that then we still have to address the policy question of whether -- how do we get the industries to use it.

MR. DENTON: Yes, how do we get there. Yes, how do we get there. Absolutely.

MS. HANIGAN: As long as we understand what we are hoping to get back, so that when we are disappointed, we know what we are disappointed back.

MR. MORSE: Do you want to plan low that is quantitative and qualitative?

MS. DEWAAL: Katie and I were really optimistic

with this.

MR. YOUNG: What is qualitative --

MR. DENTON: You might want to define load better, if you want to define it in terms of --

MR. YOUNG: Can you read this? Based on your knowledge of the organism, what mechanisms/interventions are available to reduce the load on poultry and swine carcasses.

MS. DEWAAL: Are we talking prevalence, or are we talking --

MR. MORSE: Well, that's why I didn't know whether you wanted qualitative and quantitative, and whether it is present or not, and then what is the concentration is actually the real question or the issue.

MR. DENTON: Both prevalence and the level. Qualitative and quantitative.

MS. DEWAAL: To reduce both the prevalence and the level of campylobacter on poultry and swine carcasses.

MS. HANIGAN: Reduce both the prevalence and the level. That makes it very scientific.

MR. DENTON: Did you want to tell them we would be about five minutes?

MS. DEWAAL: We are past --

MS. DEWAAL: And I must beg your pardon, because I am going to have to go jump in the science committee with Carol.

MS. HANIGAN: All right. Then we will ask for it

to be on the next agenda.

MR. DENTON: Yes.

MS. HANIGAN: Moving right along then. The next subject.

(Discussion off the record.)

MS. HANIGAN: So our next -- I am just going to call it infection of all types of species. I was told contrary to the last meeting, I guess if people in the audience want to talk to us they can if you want to recognize them.

The only disadvantage that I feel that the committee has added is that we didn't have the paper in advance, and it is a lengthy paper. So it is not like I got it read during dinner. But Terry, give us your side here.

MR. BURKHART: Well, I have been a strong advocate for making these species all amenable, because there is a lot of confusion between States, and it is very difficult for the industry that we regulate to understand that it is different from one State to another.

And it seems to me that just in order to make it simple and to make it fair, we need to go in that area. I certain support all of our efforts to make these species all amenable. I had a question though in regard to the difference in the laws as brought out in the discussion today.

In the term that is in the Poultry Act that talks

about any domesticated fowl, any domesticated bird, can you make the leap to include the ones that we are doing under voluntary inspection?

Now, because they are all domesticated -- they are raised under captivity -- can you make that link without a regulatory change, like for pheasants, for quail, for pigeons? And even could you consider ratites as domesticated fowl?

MS. HANIGAN: And, Robert, we are looking for you to --

MR. BURKHART: I am looking for a legal --

DR. POST: The problem is domesticated in some cases. The other part of it, I guess, is not having the explicit language in the Act, as explicit a language, but then having it again -- having it in force, but in the regulation. That we do go so far as to give you examples in the regulation.

MR. BURKHART: But is that interpreted to be exclusive of other species then by the way it is written?

DR. POST: It isn't, and that's why I think it is easier to amend the Poultry Products Inspection Act than it is to amend the Federal Inspection Act. But regardless -- it is going to require an effort to change or to make more specific our regulations with regard to poultry.

It is an easier task to deal with poultry, and if in fact we are believing that some of the species involved

here -- and if you are talking about ratites in particular, whether they would be considered poultry versus red meat. You know, in that debate, we do inspect them under one legend and not the other.

So to get back to your thing about the leap, it is an easier leap with the poultry than it is with red meat, because it is not as explicit.

MR. BURKHART: Also in the comments there was a concern about plants needing to upgrade or provide modifications. It is my opinion, and I don't know if that is necessary, because the plants that are doing it now would be the ones that would continue to do it.

And if they are already doing it under acceptable conditions, I don't foresee a lot of modifications that would be necessary in any plant.

MR. DENTON: I was going to ask you a question. What do you -- can I jump in?

DR. POST: Sure.

MR. DENTON: Where do most of these animals that are commercially slaughtered now get slaughtered? Are they in a red meat plant?

DR. POST: In most cases -- for instance, Ostrich, in a red meat plant, because of the characteristics, the attributes. But that doesn't have to be the case if someone retrofitted and had the appropriate equipment in a poultry plant.

MR. BURKHART: But, you know, a poultry plant and doing ratites, ratites are going to be done in a red meat plant.

DR. POST: Right. Right.

MR. BURKHART: And if you have the facilities to slaughter swine or cattle, and other physical facilities to slaughter ratites, the only possible difference would be having to do one at a time, or the adequate for the dander.

DR. POST: Well, you have got to then consider all of the other -- and all we have done is raise the issue the other attributes of these animals, and whether in fact they are different in any way to deal with it, to add the extra controls with regard to hazards that might occur, or the other aesthetic and quality things that need to be addressed, like feathers or other parts of the animals that need to be dealt with, or disposed of, or whatever.

MR. BURKHART: Which are currently being dealt with under voluntary inspection.

DR. POST: Now, consider -- well, to the extent you want me to add more, you will have to let me know.

MS. HANIGAN: It seems to me that -- and I think I heard one of the best arguments or viewpoints, that these other species really do or could present safety issues. And how we accommodate them in the slaughter plant isn't up to our subcommittee.

The gentleman that said what do we have to do,

wait for a crisis, and then everybody is going to say we should have done something. It just seems so simply and straightforward. I am in favor of holding that they should be inspected.

MR. BURKHART: Right.

MS. HANIGAN: I mean, how they get them through the plants, that's up to the plant operators and the owners, I guess.

MR. BURKHART: Well, I think we probably all our. One concern though that we would want to make sure that we address is that right now products that are on your voluntary inspection that are inspected under States have a free market in interstate commerce.

If you put it under mandatory inspection now like cattle, and you have it under State inspection under the present system, those species are only allowed for marketing within State distribution. So, you know, we have to make sure that we are tieing this into interstate commerce, or interstate distribution. Otherwise, we limit what they already have now. Do you understand?

MS. HANIGAN: And do the people in the room understand that?

DR. RAINES: Yes.

MR. HENSEL: I am president of the National Bison Association, and my name is Del Hensel. That is a very important point, because for example, a big majority of

Bison are slaughtered in South Dakota. South Dakota at this time can ship Bison meat anywhere.

But if we change the law, or if you change the law to require mandatory, South Dakota would be just like in the cattle. It can only ship to States who have conciliatory agreements. And so it would cut out a lot. So the two have to go together in the Bison industry.

MR. BURKHART: So if we identify concerns, which is one thing we had to do, by passing this, we don't want to limit the distribution of those particular commodities.

MS. HANIGAN: Okay.

MR. MORSE: Just a couple of comments. Biologically, I can't think of any differences that would exist between these domestic animals, previously domesticated animals, and suggesting harboring different organisms.

This paper would be stronger if they had some documentation of culturing those organisms in these species. I am sure that exists, because I know that it does in a limited basis, like E coli 157 and other things.

And I think it would be a stronger document if we had some of the documentation from the literature.

MR. BURKHART: Find out if they are contaminated, and then we would have a better case --

MR. DENTON: Find out if they are very similar.

MS. HANIGAN: If you will identify yourself,

please. Go ahead.

DR. RAINES: I am Dr. Amy Raines, and I am President of the American Ostrich Association. And, number one, that comment that you made about State inspection versus U.S.D.A. inspections, in Oklahoma, we have the option of both.

And what we have found in Oklahoma is that if I try to sell my product as State inspected, the consumer does not want it. They want -- the grocery store, the restaurant, the consumer, they want that U.S.D.A. label on that product.

So I am not so sure how much meat is being distributed outside the State when it is State inspected. I do it for my purpose under State inspection, but if I am selling to a consumer or to a restaurant, they demand U.S.D.A. inspection.

Secondly, the Ostrich Association has a research foundation, and there are studies going on right now to look at carcass contamination during the slaughter process. And there are also studies going on at the University of Wisconsin for several non-amenable means to look at residues, drug residue.

And hopefully that information will be available within the next year or early 2000. So we are trying to act instead of react and answer your question.

DR. POST: I'm sure that some of this exists. Go

ahead.

MS. HANIGAN: Please identify yourself though.

DR. POST: I'm Dr. Robert Post, and I am with U.S.D.A. One of the points that we do make in here is that -- well, first of all, that public up data are needed. I mean, we cite a CDC or several CDC publications that talked about the E Coli incidence or incident in the deer jerky, and the idea of trying to use or define that to deal with that or extrapolate to that.

And I think the other points that come in here are also addressed in the paper that we are addressing, and the idea that there are costs involved, and all I can say is sort of go through this again and see that the support is from a public health basis that we do need to proceed with this.

And it is a matter of appropriately selecting the species that would be under inspection, versus all animal flesh foods being under inspection. And so therefore there are certain criteria that would be or perhaps would be needed to make those kinds of --

MR. MORSE: I was just trying to think to put it on a scientific basis. I mean, if you showed that the same organisms were present at these levels in these animals, and we basically slaughtered the same, and that those pathogens called disease in humans.

I guess I haven't investigated this type of

outbreak, but I know that some of the ones that we have, like T.B., that the animal, the deer, were contiguous to cattle on farms. So they were growing or raising them on the same farms in proximity.

So I would assume that there are the same pastures eventually and --

MR. BURKHART: The issue of low line tuberculosis is probably more a problem with deer in the United States than it is with cattle.

MR. MORSE: Right.

MS. HANIGAN: The gentleman in the back.

DR. THROLSON: Dr. Ken Throlson. I just wanted to say something about the organisms. We ship a shipment of buffalo meat to Europe every single week, and they culture it again after it gets there. And they are amazed that our culture and bacteria count is so low.

The bison that they kill in Europe, which they don't kill some themselves there, has a much higher count than what we get out of our plant. And I maintain one of the main reasons for that is that we kill these is a strictly bison plant. We don't kill these where beef is called also.

So, yes, we do have the same organisms. I will grant you that. But I really think that we have less of them. And we have less of them because our species has not been given antibiotics and feed, and injected with it, and

that sort of thing for a number of generations. That's how I would address that.

MS. HANIGAN: I have two questions for Dr. Post. One, I did not write down the questions that you would like the committee to address. I assume that they were at the back of the paper, and so I am not seeing them, and so I am embarrassed about that.

But then if you could refresh our memories on that, and then once you do that for me, tell me what is the negative to us agreeing that these species should have inspections.

DR. POST: Okay. Also, remembering precisely the points that were made, we identified that there will be a need for microbiological data development in order to develop performance standards, for example, or even microbiological baselines that would be a one-time cost.

And chemical residue testing, and procedures for that. So the data that you talked about are mentioned as the costs involved, but necessary data. So do embark on this. But then to get to your other comment.

The criteria that are here, essentially we said, and we have acknowledged, that there is a public health basis. There is more data than we present here that would probably support a public health basis for including other species.

Logistically, realistically, practically, can you

address every single thing that is in your table, from llama, to bear, to quail, to scarab? We are not sure. There is no finite list. In fact, the committee had not suggested a finite list previously.

So in order to make those kinds of selections, we thought that certain criteria would be needed, certain things needed to be addressed. So the primary question I had, or the input that I would like, is to determine whether the criteria that are suggested in this paper are adequate, and whether in fact there are other criteria that are necessary other than the ones that we have, or maybe the ones that we have aren't adequate. But to give us feedback on that.

And then also to identify other areas where other information would be needed. Rosemary Muflo today had mentioned the idea of looking at foreign establishments in foreign countries that export to the United States, and what they consider to be mandatory and voluntary in their systems.

That's something that certainly I will add to the kind of information we need. But the other thing is to get at the exposure aspects, the data that would require -- I mean, that would represent reduction volume, and the marketing, and distribution patterns for these kinds of products, so that we could make a case for consumer exposure and build on the public health aspects. And I thought the

advisory committee could help us with that.

Looking now to answer your third or to address a third issue. The concerns that we have at this point is we have only done a preliminary cost estimate assessment, and there are pluses and minuses. I mean, we have said it is a very complex issue to get into how we reimburse States.

And that we have Federal and State cooperative inspection systems, and that we have designated States. There is a complexity to the way the funding works for handling State inspection, and where State inspection covers a lot of non-amenable species right now.

There is a potential for an effect on the budget of a State with regard to these kinds of things. I mean, if user fees are no longer or fees are no longer charged for State inspection, for example, that's a loss to a State.

If we are picking up the cost of 50 percent reimbursement, up to 50 percent reimbursement, does the Agency have the ability to -- I mean, you know, is this appropriated funds. We don't know. So those are the kinds of things that need to be built into a stronger cost assessment.

And we have acknowledged that we have to do that. So if you are looking for the downside, it's that we need more cost information.

MS. HANIGAN: But your group is prepared to in the future get that information?

DR. POST: Yes.

MR. BURKHART: But wouldn't you also say that once you have considered that this animal or these animals would become amenable, then the performance standards sampling data could be acquired instead of trying to do it the other way around?

I mean, the other species are amenable and the performance standard data sample results were acquired after the fact. I mean, who is going to do it if you want that data ahead of time? And I don't think it would be accessible that way.

DR. POST: And some things we have mentioned here is a come up time, sort of a transitioning period, and what is that adequate transitioning period? It is a transition from voluntary to mandatory, from a State inspection to a mandatory Federal.

We are not sure, but that's also where you could give us recommendations on how that could occur. If you are recommending that perhaps you establish a definition for meat food products, or meat products and culture products containing an additional species, and then you go about establishing performance standards, we could deal with that because there will be a come up time message.

MR. BURKHART: All right.

MS. HANIGAN: Did you have any before I go back to the audience?

MR. MORSE: Well, I guess this is repetitive, but I think it would be again a stronger document. I am sure that they cultured some of these species already, and so there must be some existing data on the presence on the prevalence of pathogens. It seems like people are going to say, well, what evidence do you have.

So, I don't think you have to prove that until there is products associated with these species if you have the organism present. But you have to show the organism present, I think, for some people to object and say what is the documentation or the science basis.

So you have to have some documentation of the organisms present in these species, and that there have been some outbreaks. I know that there is some outbreaks, but there are certainly trichinella in a lost of cases, trichinella associated with people eating bear meat undercooked obviously.

But here is probably more than just this one documentation of deer E coli outbreak I would think. So there probably are some more documented human illnesses, and there certainly has to be more evidence -- because this rest of the documentation talks about food borne illness in general, and et cetera, and the stronger that you can make it by making it more specific, the presence of these organisms in these species, and then you should just go ahead and regulate it. You have made the case right there.

You don't have to prove that there has been a human illness.

MS. HANIGAN: The one thing that we did hear today that I agree completely though, Caroline Smith DeWaal talked about the plants -- and not trying to get us way off the subject, but the plants that have done no materia testing have no doubt at all, and are trying to say that is not a food safety hazard.

The consumers were not buying that whatsoever. And then we hear Carol Tucker's foreman talk about the consumers in the marketplace, if the product is out there for sale, they think it is safe.

And then the last time we met, we talked about this concept of risk-free food, and yet we have a fairly large up and coming industries out here that are feeding into this meat supply of risk free, and we don't even know what we have got. It is kind of like a cracker box.

MR. MORSE: I don't think we have to wait years for this, but I think some of that data is already -- I can't believe that somebody hasn't cultured those in some university, universities or someplace already, or it doesn't take that long --

MR. BURKHART: All of these would support my -- growth.

MR. MORSE: Right. Right.

MS. HANIGAN: The gentleman in the back.

MR. SEXHUS: I am Don Sexhus, and I am the CEO of the North American Bison Cooperative. We slaughter I think as I said today most of the bison, and we are not dealing here with finding a bunch of scientific knowledge of whether this thing needs inspection or not.

I mean, we have cultured a lot of things, and it is being inspected today. The issue, plain and simple, is money and politics. It isn't anything else as far I am concerned. I was here in May, and I talked to a committee. I don't know if any of you were on that committee. It looks like --

MS. HANIGAN: We all were.

MR. BURKHART: We all were.

MR. SEXHUS: But anyway, we talked about this thing, and now we are sitting here saying we need more scientific data, and we need this, and we need that. The truth of the matter is that we don't need anything. It is what this gentleman said about the budgets, and the pay for inspection, and all of this, is what it comes down to as far as I am concerned.

We can present any amount of scientific and cultures, and the data, and the pathogens that are present. We have got all of that. It has been done by the university system, and it has been done by our in-house testing, by labs, residue testing, and everything.

And it is being inspected today. It's not like

should this be inspected or not. It is a question should it be mandatory or not. It is being inspected. Sixty-five percent, or 70 percent, of all the bison killed in the United States are killed right in our plant.

So we know, and they are under Federal inspection, and we know all of this. So this is not something that we have got to task into a mystery area. We are talking about an issue here of fairness. We are talking about an issue of public health and safety.

We are out there doing the job under Federal regs, and we are at risk every day because there is uninspected meat out there. And I will bet you that most of the people in this room have lived their whole live without eating bison.

And if you hear about bison causing food borne illness, you will figure pretty quickly that I can live the rest of my life without eating bison, and that is the truth of the matter. And there are people out there that don't care. They may be in other livestock industries, or other things, and it is politics, and it is money.

Now what we are talking about is food safety and fairness. I really think we have the moral high ground on this issue, and I think we have to face up to that. That our real concerns as taxpayers is that we expect safe food. We don't expect to sit around figuring out reasons to not do anything.

MS. HANIGAN: Well, let's call for the question though. There is four of us here. Let's at least try to reach a consensus. Do the four of us agree that we should go back tomorrow and recommend that they move forward? That we think they should have the inspection? I mean, what's --

MR. BURKHART: I would certainly say so.

MS. HANIGAN: That's two.

MR. MORSE: I think they should go forward, but I think there is going to be a criticism that you are going to have to defend against, and I think the data already exists.

So I am just thinking if it goes through the processes, and pull the data that is already in existence, because I know we have heard how some groups support this, but there might be some people who object to this because they don't want to participate because they will say that there hasn't been any science.

So just bring out the science that probably already exists, and I don't think it would take -- you don't have to do any studies. I am sure there is culture data as you say at the university. Just ask the university. So I just want to make the document stronger when it comes to the time that you have to defend it from people that will try to say, well, you shouldn't spend the cost of money to do this.

You haven't proved that these are pathogens, or some people in the industry that don't want to admit -- I don't know what percentage of the bison growers are part of

the organization, but there are small groups that don't want to have government regulation that might argue, well, you know, you haven't shown any documentation.

So I am just saying put the documentation in there. I don't think it is going to delay it, because it probably already exists. But make the strongest case you can when it comes to put it through. That's all.

MS. HANIGAN: So are you in favor of 00

MR. MORSE: Yes, I am in favor of it.

MS. HANIGAN: Okay.

MR. MORSE: But put the documentation in there that probably already exists.

MS. HANIGAN: Is that helping you, Robert (sic), as to the direction here?

MR. BURKHART: The things that you have identified as being factors in identifying which species should come under inspection is sound similarity inspection procedures. You know, buffalo and deer have the same type of inspection procedures as red meat. Actually, ratites have the same inspection process as ratites. All those other -- poultry, pheasants, quail, squab, partridge -- have the same inspection procedure as other poultry. So that all fits in line with what is already existing. So I think that is legitimate.

You have similar food safety risks, whether they have been published or not. I think that is appropriate.

So your criteria that you have identified I would certainly agree with. One other comment that I wanted to make though -- and I think this will come up -- is with the model food code, and in regard to what they consider to be food that is offered for sale at a retail store or at a restaurant -- and you had a little discussion about this today about the differences, but as more States adopt the food code, the way that is being interpreted -- that is, that if there is -- if these species can be inspected -- ante-mortem and post-mortem inspected, then they have to be inspected in order to be offered for sale.

Now, that may change across the country as more States adopt the food code, because we talked today about uninspected venison, buffalo, whatever, being offered for sale in the marketplace. I think that will change as we move forward with more adoption of the food code.

MS. HANIGAN: Okay. Let me ask you if I have this recorded right. The consensus of this group is that we are in favor of it, and that the criteria that is laid out in the paper we are basically agreeing is correct?

DR. POST: Yes. Right.

MS. HANIGAN: That it needs to be -- I don't want to say tied in, but it has got to be married to this interstate shipment

MR. BURKHART: That's a concern, right.

MS. HANIGAN: We have a concern with the

interstate shipments piece.

MR. BURKHART: That if we do go forward with mandatory inspection, that does not then limit the marketability of those products.

MS. HANIGAN: Okay. And then from Dale, I think you are wanting -- is that part of the next meeting, or you wanted more data?

MR. MORSE: I just wanted the documentation to make the document stronger, and a much better case.

MS. HANIGAN: So do we need to have it on our agenda for the next time in more detail? I mean, we are going to meet in this committee meeting tomorrow, and where are we going after that with it?

MR. MORSE: I think that is really up the agency what they want to do. I think we are saying let's move forward, and let's do what we need to do.

DR. POST: But what I would expect then by next fall, we would have a completed paper. This paper will be complete with all the missing parts. I think that we mentioned at the conclusion public health data supported, and it has to be science-based, pathogen-based, and all the other visionary kinds of goals that we have for the way we are approaching the inspection. All of that should be in there.

MR. YOUNG: Plus the information on the budgetary impacts, and the State resolving the situation with the

State on reimbursement.

DR. POST: And as we have heard today in the regulatory development process -- I mean, even though this is a legislative effort, that ultimately it will turn into a regulatory one, because once we have legislation, and we change our regulations, you will see how we have to get into economic impact, risk assessments, and all sorts of extra penalties in that nine step process that Danny Murtaugh explained. So we need a lot of economics to support that issue.

MR. MORSE: That should be a concern.

MS. HANIGAN: Okay. Then answering the question about if the producers don't buy it, then they will have ample opportunity for comments, public comment and all that kind of stuff?

DR. POST: Yes.

MR. MORSE: I just don't see how -- it seems that cost would be a non-issue, because once you show that the same pathogens are present, if you are trying to say it costs too much, then you stop doing your other inspections on other species that you are already doing. So that doesn't seem that should be an issue, cost.

MR. YOUNG: But if you look at some of the other criteria though. Look at the extent of the market. I mean, if it is something that you compare a thousand animals that are slaughtered in the air, compared to several million,

there is quite a difference.

MR. MORSE: But we don't exempt Vermont, or some Rhode Island's cattle, because they only make up one-half percent of the market. So that doesn't seem to -- that's why I guess you have to have some kind of health risk there, and it shouldn't make any difference whether the cost argument falls apart, because then if that is the truth, then you are selectively take parts of the United States and say that -- what, Minnesota, or Wisconsin, no growth? Bugs don't grow in Wisconsin, right, or whatever.

MR. YOUNG: It is just a small number.

MS. HANIGAN: Before I give this gentleman the floor, can you write there that Robert anticipates this paper being completed in a year, the one that we have.

MR. YOUNG: We would prefer doctor.

MS. HANIGAN: Doctor, or whatever. Okay.

MR. SEXHUS: The way I interpret the document today from the USDA is that they are looking at possibly some species, but not all species, to start with? Is that kind of how I interpret this document?

DR. POST: It is a series of criteria that would be applied. It could be that all non-amenable species end up really in all of these criteria. It could be that only some do. Like someone would ask for armadillo inspection. You know, we may or may not -- you know, or mongoose. So we have got to consider that perhaps not all flesh foods --

MR. SEXHUS: The point I would like to make is that we have some species that have been on voluntary inspection. I would think that the standards are pretty well set for ratites and bison, and probably elk and deer. Those groups.

So rather than complicate this, at least from the initial stages, I would think you could take the ones that have been doing voluntary inspection, and put those in without a vast amount of monetary problems with USDA.

And that way I would like to emphasize that from the start -- and maybe some of these other groups don't even want to be involved. But from the start, it is very evident that the people represented here want the inspection.

MR. YOUNG: One thing to think about is that looking at the economics of the situation, all of economics is about scarcity. And the resources to come to the USDA are scarce, and when you go to the mandatory inspection, you are looking at another demand on those scarce resources, and that of course is why we decided to come up with these criteria so that we can allocate these scarce resources in a way that is most efficient.

I mean, you are looking at something -- that whatever else we talk about, is that all things being equal, if all things are equal with regard to risk or human illness, and everything else, you want to choose something that costs a little bit less, and that is kind of a key

point that we are looking at when we talk about cost issues.

MR. SEXHUS: And I would think that due to the industries that are now in the process would be less cost than picking up the new ones is my point, because they are already in line. I can't see a big cost in ratites and bison inspection. I mean, to the USDA, compared the other inspections that you might -- I mean, compared to beef, it has got to be minuscule.

MR. YOUNG: Well, minuscule on a total basis. But when you are talking about on a per annum, it is quite a bit I think, because if you are slaughtering -- it could be a situation where the cost per animal declines with the level of production with these huge outfits that slaughter.

MR. SEXHUS: Let me make a point.

MR. YOUNG: Sure.

MR. SEXHUS: That I think it is misdirected here, and that each of those plants are a private enterprise, and they can either do bison for economic reasons or not do bison. Most of them would choose not to. Just because you pass this rule or law doesn't mean that all of the plants have to do bison or ratite.

So it is an economic situation for the plant. So they don't -- there is no plant costs unless they want to do it, because they are not making enough money on beef. So why are we talking bout economics to the industry, because the industry only looks at the profit situation, and private

enterprise.

And the cost to the USDA and existing plants would not be that much. So that is my point.

MS. HANIGAN: Dr. Post.

DR. POST: Except under voluntary inspection, there is -- we don't bear the cost of that. But under mandatory inspection, we do. And so you would have to have appropriate funds to expand the ability to have an inspector, a full-time inspector, at least one; and the appropriate staffing of personnel, as well as the available establishment that has a random inspection.

And so those are additional costs that would have to be considered. So there is a cost involved in going from voluntary to mandatory, in terms of the agency budget.

MR. YOUNG: Although truthfully in looking at it in a larger sense as a social cost benefit analysis, that is effectively only a transfer, and it does become like you said a political situation, where you are talking about transferring from industry, or taking the burden off of industry and placing it on the taxpayers.

DR. POST: And if I could just complete then, that then perhaps the social benefits outweigh the costs, and even the additional appropriated funds that would be needed to handle this under management.

MS. HANIGAN: Well, I think one point that you need to put up here -- and you can help me word it -- is

when we got talking about which species are going to be inspected, it is based on a criterion paper that they meet this criteria, and I think that is a key -- because realize that people in our committee have not read this paper. And I am making the assumption that they are not going to have it read before 8:30 tomorrow morning, just because they are all in committee meetings tonight, as well.

MR. YOUNG: So the use of the criteria is one method to determine the species inspected, just like it is -- or something like that?

MS. HANIGAN: Yes. And also the cost that Dr. Post just addressed would be completed in a year. I mean, we talked about the paper being completed, and that is correct, right, the cost analysis?

DR. RAINES: FFIS has asked the committee for input on the criteria. I would suggest that you look seriously at the number of pounds of meat that enter the food chain system versus the number of carcasses. I think that that is extremely legitimate.

So maybe we are only looking at X number of ways and an X number of ratites. What are you looking at in terms of potential health risks?

Second of all, the second has come up about whether mandatory inspection is with foreign countries. I can tell you for sure and for certain, because I have a letter from the Canadian Ministry, that Canada is mandatory

inspected.

Loss of income to the States. The ratite industry currently has bills pending before both the House and the Senate for mandatory inspection. This came about as a resolution from the National Association of the State Departments of Agriculture.

If those folks were going to be losing substantial money, they never would have come out with that statement to start with. USDA has built in a cost to give mandatory inspection to the industry that includes an initial start-up cost for the baseline studies on microbials and chemical pathogen, or chemical residues.

It is my understanding that there are animals today that are mandatory inspected, specifically goats and sheep. They do not have anything established. As far as the overall costs, one of the costs projected by FFIS is for HACCIP implementation in these very small plants.

And I think you have heard today, and when you have an opportunity to read this document, all of the plants that process ratites also process amenable species. So there is no additional cost for HACCIP. FFIS has stated that the total cost currently born by industry is between .2 million and .7 million per year, and that there are no unrecovered costs.

It would seem then that that would be the cost to government. FFIS just said you can have this paper complete

by the fall of 2000. Does that include the cost-benefit analysis?

DR. POST: That's our intent.

DR. RAINES: I have a copy of the response to the agricultural committee that says it will take two years and $1.6 million to do a cost-benefit analysis just on ratite.

MS. HANIGAN: That was FFIS' response?

DR. RAINES: Yes, it is.

MS. HANIGAN: Feel free.

DR. POST: You can acknowledge that and maybe it won't. That aspect of this paper may not get done if that is your recommendation.

DR. RAINES: No, it is not my recommendation. I guess it is my concern that we are going to weigh this thing down over and over and over and never get anywhere with it.

DR. POST: But by way down, it ends up dealing with an issue that is a complex issue, or -- because it is going to have to deal with the cost aspects, and that is a given. The economic impact is going to have to be part of any legislative effort, and then certainly the regulatory efforts that follow.

And that is a given. And if that is more complex, I guess at the half-year mark, we can certainly report at the next committee meeting in terms of where we are, and whether we in fact plan, or whether we will be able to, seriously meet that year.

MR. MORSE: Well, will we have a mechanism for an expedited review, the reason being there could be an outbreak, and that would certainly speed it up. But I mean -- right? And this is to get it through because it has to go to the legislature, and they might not pass it without this being done, and that is the problem, right?

DR. POST: That's right. I mean, it's finding a sponsor and getting it through the legislative processes, certainly. And this follows -- and luckily we have talked about the interstate issue. This will follow the legislation on that which you heard about this morning about interstate shipments and --

MR. MORSE: But this doesn't stop us recommending an expedited review with the timetable, the one-year timetable, right, of this committee?

MS. HANIGAN: Right.

MR. MORSE: And so obviously if we had more research that is devoted to this, we could do it quicker.

MS. HANIGAN: Okay. So are we -- can we develop our recommendations back to our full committee? Why don't you flip us back one. Go ahead, Terry.

MR. BURKHART: Can I get just some clarification on an issue that came up this morning? This business with the nitrate is very, very important for value-added products, and that's a critical element in their development for future markets.

Did I understand you correctly when you said today that if we include these critters as amenable species, that they then would be allowed to be able to use nitrate in those species?

DR. POST: The key is that the use of nitrite and nitrate according to FDA is allowable in meat as it is defined in the Federal Meat Inspection Act.

MR. BURKHART: And if we change the definition of meat to include those species, then that nitrite issue goes away?

DR. POST: Yes.

MR. BURKHART: Okay. Well, I hope that's correct. I hope that's correct, because that would simplify the issue.

DR. POST: Right.

MR. BURKHART: But I don't know for sure. I believe you, but I am still skeptical of the FDA, I guess.

MR. HENSEL: Well, I've heard various decisions on that.

DR. POST: Well, you have got a situation right now where if FDA were to receive a request for additional uses of nitrate in exotic species, for example, that that would be difficult to get through a consumer challenge today because that is where a lot of the interest is. And then the data that are related to the no nitrate meats or whatever.

So that would be the response today, that if the FDA had a petition. But if in fact the basis for their allowance is, in terms of what is defined as meat, if we change the definition of meat, then it should very well include bison, which at this point, if you had to add three percent beef, is a 97 percent bison product containing a cure. It is not a safety issue. It is a regulatory definition issue.

MR. HENSEL: It seems a moot point, and that is pure muscle jerky. How do you add three percent beef to pure muscle jerky?

DR. POST: Right now?

MR. HENSEL: You don't, and so consequently the product goes out without nitrates. You can't add three percent beef on a pure muscle product.

MS. SEXHUS: We do, Del.

MR. HENSEL: Yeah, juice, I know. But some people don't know that.

MS. HANIGAN: Well, I am sure that the committee won't want to know that either. Okay. Why don't we get this summarized as to how we are going to bring this back. So we have got -- I want to ask you fellows.

Are we -- right now our consensus is we are in favor of that, but are we reserving the right to change our minds in a year from now if whatever paper comes back, and we are not liking what it is saying? Or are we just going

out with we are in favor of this?

MR. BURKHART: We are in favor of it. I am.

MS. HANIGAN: Are you okay with that?

MR. MORSE: Philosophically we are in favor of it.

MR. BURKHART: I don't know what the paper would come out with, even if it is a significant cost.

MR. MORSE: Is it sterile?

MS. HANIGAN: Okay. The consensus is that we are in favor. What else do you have for us left over there? I know that we talked about interstate shipment.

MR. YOUNG: Yes. Concern of interstate shipment, another concern, documentation. I guess from the discussion that includes both scientific and economic documentation, essentially.

MS. HANIGAN: But we could put that per Dr. Post, he anticipates completion of this paper within a year, which is going to provide us more documentation, correct, which is both cost analysis and microbiological analysis; is that correct?

DR. POST: Yes.

MS. HANIGAN: Other for the completion of this paper? Anything else?

MR. MORSE: If we are going to add the foreign portion or the international element, too, I figured we talked about that.

MS. HANIGAN: Yes.

MR. YOUNG: What is that? I'm sorry.

DR. POST: The international component.

MR. BURKHART: Do you know what Canada happens to do with deer and elk? Is it a mandatory group, like buffalo, in Canada?

(No audible response.)

MS. HANIGAN: Okay. Another big concern, like you said, was interstate shipment. We want to make sure that by doing this, we don't limit -- go ahead. Give me the word again on the interstate shipment.

MR. BURKHART: Just that with passage of these particular species coming under mandatory inspection, it is not our intent to limit the distribution to in-state marketing for state-inspected species, voluntary inspection. We don't want to pass something that limits their ability to market their product.

And so that way, you have to make sure that the State inspection stuff can go in interstate commerce.

MS. HANIGAN: All right. What else do we have?

(Pause.)

MS. HANIGAN: Oh, yes, which species are going to be inspected.

MR. BURKHART: Where was the llama?

MS. HANIGAN: Terry, do you want the nitrate issue put in here?

MR. BURKHART: Well, I just -- we want to be

absolutely sure that that would address the concern. I guess in -- I don't know if it would be checking with FDA for assurance on that. Maybe you have got it already or something in writing that would assure that is going to happen, because I guess it was just my concern that they only apply it to the species that were considered to be amenable at that time.

Now, if that means that if we include them after the fact, are they going to fall in there, I would want to be sure that that was going to happen.

DR. POST: Well, what I can say is that we will make sure through -- we have an MOU and a joint working relationship on that case. That was one of the issues brought up today.

MR. BURKHART: It makes good sense.

DR. POST: And so we will make sure that we have that issue resolved certainly by the time we meet next.

MS. HANIGAN: But even if that issue isn't resolved, I am still in favor of this.

MR. BURKHART: We have to go forward.

MS. HANIGAN: Yes. Okay. Does the committee have anything else for the summary report?

MR. YOUNG: I was just thinking two kinds of things to wrap up as far as expecting the paper in a year and having them report back at the next meeting.

DR. POST: For the nitrates, you could say that

through FDA, FSIS has joint additives or we will determine the status with regard to this paper.

MR. BURKHART: Could we just ask a question of the different commodity groups, whether this would have a -- what impact would this have with the change on the amount of products being offered for sale and the total amount of commodities available?

You know, the financial impact of the changing of this, would it really significantly increase the products being offered for sale, or what would be the impact? I don't know if we could get any dollar value on something like that that we could provide.

MR. HENSEL: Well, I think the number one thing, it would probably reduce the cost to the consumer somewhat because we have to add that cost into the product.

MR. BURKHART: Right.

MR. HENSEL: Number 2, we have a very big competitive problem with Canada right now. They get free inspection, and they have a different dollar value, blah, blah, blah. They are importing tremendous amounts of bison meat into this country, and it will increase because they have an environment where they can produce bison, and then they have free inspection.

So I know that we are all concerned with food safety, but when food safety becomes an economic issue for an American producer, he tries to avoid the cost of

inspection. So it does flow back to food safety, but that is a very big concern right now. Bison meat is coming in here as far as it can from Canada.

And so all it is, will lower the price to the consumer, and it will guarantee him a safer product, and so I think it is in the best interests of the taxpayer.

MR. MORSE: How about the ratite industry?

DR. RAINES: The ostrich industry has about, over the last five years, $25 million of export going out of this country in terms of meat, leather and herbs. Our main competitor is South Africa, and the cost of production of our meat, in terms of processing costs, we have a hard time competing with the South African markets on the European world, and also with the Pacific plan.

So it would cut our production costs, which would allow us to compete internationally a little bit even, better or more even playing field. So we don't have to worry about imports.

MR. MORSE: And the same with you?

MS. SUMMERHOUR: We do have imports coming in from Australia and New Zealand, and it is actually cheaper to bring them into this country and have a mandatory FDA inspection on imported product than it is to produce the product in this country, slaughter it and market it. So it will make a big difference to our industry.

MR. MORSE: I think that is worth saying or worth

knowing in the paper that the impact on the industry, what would happen with this inspection.

MS. HANIGAN: Other points on this summary for tomorrow?

MR. MORSE: Other than we broke the record for subcommittee participation.

MS. HANIGAN: Well, we still have -- okay. Go ahead.

DR. POST: And for the last point, it would help if we received whatever information you have in terms of how you think it would affect your business. The idea that -- you know, in terms of the costs of the imports and how this could be opening this up for mandatory inspection in this country could perhaps lead to lower-cost products for the American consumer, for American products.

MR. YOUNG: And also if your business is doing tests, microbial tests and cultures and things like that, I would think that is information we could use.

MR. MORSE: Or through a third-party university or somebody that is doing it.

MR. YOUNG: Sure. Sure. And just pass it along to us so that we can get it from them.

MS. HANIGAN: Any other thoughts out there?

Yes?

MS. HELMS: We feel -- I'm Linda Helms, North Carolina Ostrich Breeders Association. We feel like it will

help us financially, of course, because it will lower our costs, just like the bison.

It will help us to lower our costs to the consumer, and also it will help us in producing more. We can put out more meat because the costs will be lower for us, so it will help us doubly that way, and help the consumer, too.

And we are trying very hard to keep the quality of our meat higher, and we encourage our people to have their meet inspected, even now. We have got an inspector right there in the plant the whole time, and he is going through and being paid anyway, and we are paying him, too -- or her, she.

So, you know, the cost is really the same, but they are getting double-paid for sending our birds through. And it is not making any difference, as far as we are concerned, because we are having to pay on top of what they are doing, but will help us in lowering our costs to get more meat out and increase our market.

MR. SEXHUS: If I could just add one thing for the gentleman from the USDA. You are saying about the costs per unit and that. In our particular plant, we kill four, 10-hour days, which we pay 33-something an hour, right?

MR. MORSE: For ratite?

MR. HENSEL: For cattle. And on the fifth day, the inspector goes over to a little town there in North

Dakota where there is a little Federal plant, and he does between 8 and 12 head of hogs and beef. Now, we have paid his salary, plus a couple of other guys for that time, because of what we pay for these hourly wages while he is working for us.

So, I think -- you know, let's level that playing field. And I hate leaving us on this note, but if this is truly food safety, if you have two children, and what if one of them dies at a picnic or a church bazaar, or at a restaurant, or sometimes, worse yet, what if one survives and lives on dialysis for the rest of his life because he has lost his kidneys, you know?

I think that this food safety, you can't put a price on that. We have to act and we can't react, as we said earlier, that we don't really do that. But I know I'll speak for Dennis here, that any documentation you need from us, we will be more than willing to help you, and I would like to think that we have more tests.

For a while, they were testing us, culturing us, every week, and testing us for residue, because they wanted to test so many plants, and we were the only bison plant. So we'd pay $400. Somebody said today that testing was free. It wasn't free when we were doing it.

MR. MORSE: This is a small point, but at the table there has been discussion about it, and not just listening to the total numbers, but the pounds, and is that

already available, or you have to take an average weight of an ostrich?

MR. HENSEL: It would be an average.

MR. MORSE: It would be an average? Okay. But you could add a column of pounds or something, right, based on average? It seems like that would also be beneficial to add to the document.

MS. HANIGAN: Other concerns then before we wrap it up?

(No audible response.)

MS. HANIGAN: I guess we are adjourned.

(Whereupon, at 8:35 p.m., the meeting was concluded.)

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