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

**RE: Docket No. 00-019P
Petitions for Rulemaking**

The American Association of Meat Processors (AAMP) is pleased to submit the following comments on the amendments to the Agency's regulation, "Petitions for Rulemaking."

The Association is an international organization whose members include meat and poultry processors, slaughterers, caterers, food service companies, wholesalers, retailers, suppliers, and consultants to the meat and poultry industry. There are 33 state, regional, and provincial associations of meat processors that are also affiliated with AAMP. Majority of our members are small and very small businesses, most of them family-owned and operated.

AAMP has a few concerns over the amendments to the "Petitions for Rulemaking" regulations because of the impact the changes may have on our membership. We applaud the Agency for amending the petition process in order to clarify the proper course of action for those submitting petitions. However, in the past the Food Safety and Inspection Service (FSIS) has ignored the rulemaking process completely by making "policy interpretations" and issuing Directives and Notices instead. These types of publications do not allow trade associations and industry members to make comments on the regulations prior to their release. Without the input from important stakeholders, the Directives and Notices leave industry at the mercy of the government.

Trade associations and industry members have encouraged FSIS to make their organizations aware of the Directives and Notices prior to their issuance in order to ensure the correctness and clarity of the documents before they are released. The Agency was receptive to this concept for a short period of time, but since then efforts have ceased. There are comment periods for rulemaking before it becomes official, but no comment periods for policy interpretations prior to their release. The proposed rule does include a section explaining that petitions can be submitted "to issue, amend, or repeal a document that interprets a regulation administered by the Agency." This does give industry the ability to petition Directives, Notices,

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and Compliance Guides, which is a useful tool, but does not reduce the need for stakeholders to be involved with the development process.

Since AAMP members are mostly small and very small entities, we hope that FSIS will take into account that their resources and the availability of certain data are limited. Due to the fact that FSIS does not require data to be submitted to complete the regulatory analyses surrounding the petition, this should not be a factor. The petition process should be an equal opportunity for all establishments to request to issue, amend, or appeal a regulation administered by the Agency or a document that interprets a regulation administered by the Agency. Additionally, economic impact analyses for small and very small establishments prior to implementation of potential new rules/regulations must always be conducted and considered!

We encourage FSIS to continue to be transparent and seek input from industry stakeholders in all proposed rulemaking as well as policy interpretations that are issued. The clarification in the petition process will be helpful and should increase the overall effectiveness of petitions that are submitted to the Agency. We hope that FSIS will take our concerns seriously and evaluate the proposed rules accordingly.

Sincerely,



Andrea H. Brown
Director of Legislative and Regulatory Affairs

cc: Mark Schad, AAMP President