September 5, 2001

TO: FSIS Docket Clerk
Room 102
Cotton Annex Building
300 12th Street SW
Washington, DC 20250-3700

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00-026N
00-026N-12
Greg Ruehle

FR: Greg Ruehle, Executive Vice President

RE: Residue Policy Docket No. 00-26N

The Nebraska Cattlemen thank USDA's Food Safety and Inspection Service (FSIS) for publishing the notice and request for comments regarding the agency's residue policy. However, review of the notice has raised a few questions that need further clarification. We respectfully request a 60-day extension of the comment period to allow further discussion and help clarify these issues and concerns.

The FSIS plays a critical role in terms of monitoring and surveillance to ensure there is compliance with existing Food and Drug Administration (FDA) regulations relating to violative residues. We recognize the need to ensure that FSIS policies, practices and enforcement are consistent with FDA regulations.

For this reason, for the most part we agree with the FSIS proposal to harmonize the residue policy with the FDA target marker/tissue policy. However, we disagree on four points:

- The notice lacks specific reference as to how the policy may effect the residue testing process with respect to commonly used antimicrobials.

- We believe that prior to condemning a carcass for a violative residue in a target tissue such as liver or kidney that the actual muscle tissue be tested as well so as to verify residue levels exceed the science based standards set by the FDA.

- We are aware that there are antimicrobials approved for use in beef production that do not have a beef muscle residue standard nor approved analytical method, yet for the same antimicrobial there is a muscle tolerance for pork and an analytical method as well. In this situation, we believe if a safe level and analytical method has been approved for pork or other species, that this be used for beef as well. In other words, if a residue of 0.1 PPM of an antimicrobial is "safe" in pork then the same should be true for beef.

- An issue related to harmonization of FSIS and FDA policies is the need to seriously consider harmonizing FSIS policies with those established by the Codex Alimentarius Commission (CODEX).

The need to consider harmonization of FSIS policies with the CODEX standards is consistent with the reality of international trade. The FDA may not have target tissue/muscle tissue standards and approved analytical standards for products that are not approved nor used in the U.S. However this does not mean the FSIS can afford to ignore the fact these products are used and we import muscle products not necessarily other "target tissues." FSIS needs to have in place approved analytical methods to verify compliance with internally accepted CODEX standards for products not approved in the U.S but which have been proven safe and effective in other countries. Of course the FSIS needs to represent the safety of our products in international markets and the CODEX standards and approved analytical methods are important in this respect as well.

In summary, we support the FSIS playing an active role in monitoring and surveillance to ensure compliance with FDA regulations relating to preventing violative residues.

We believe actual muscle tissue testing should be the basis for decisions regarding condemnation of carcasses rather than simply relying on a target tissue test.

We believe that if there is a tissue tolerance for a particular product in another species it makes sense to use that tolerance and analytical method for beef.

We encourage the FSIS to seriously consider employing the CODEX tolerance and methods in the future.

Thank you for considering our concerns, and we look forward to obtaining further clarification during an extension of the comment period.