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Sonia K. Voldseth

FSIS Docket Clerk
Docket #00-43N
U.S. Department of Agriculture
Food Safety and Inspection Service
Room 102, Cotton Annex Building
300 12th Street, SW
Washington D.C. 20250-3700

Re: Docket #00-43N

Dear Ms. Moore:

The National Cattlemen's Beef Association (NCBA) respectfully submits these comments in response to the Food Safety and Inspection Service (FSIS) Advanced Notice of Proposed Rulemaking on Residue Control in a HACCP Environment.

Producer-directed and consumer-focused, NCBA is the trade association of America's cattle farmers and ranchers, and the marketing organization for the largest segment of the nation's food and fiber industry.

NCBA commends FSIS for undertaking this rulemaking. The advent of HACCP and related programs has moved food safety inspection into the 21st century. Since the establishment of the Federal Meat Inspection Act of 1906, the primary food safety concerns for meat and poultry were resolved through meat inspection. The focus of the inspectors had been to prevent diseased animals, and meat prepared under unsanitary conditions, from entering commerce. The system has been effective in preventing those actions.

Meat industry experts, as well as the USDA, recognize that food safety concerns can no longer be limited to physical concerns, such as diseased animals and unsanitary facilities. With time, we have become skilled at identifying other food safety concerns such as chemical residues and microbial contaminants. HACCP is intended to prevent hazards, whether physical, chemical, or microbial, from entering the food supply. HACCP systems require processors to follow a set plan, and monitor the critical steps of the plan to verify that the system is working.

NCBA recognizes that the use of feed additives, drugs, and antimicrobials are necessary tools for the efficient production of livestock. In general, livestock producers have an exemplary record with respect to the proper use of antimicribials to provide for animal health and well-being.

In designing an antimicrobial monitoring and surveillance system, FSIS, in close cooperation with the FDA-CVM, should focus on using scientific risk-assessments to determine their importance to protecting both animal and public health.

These assessments should be the basis for establishing safe and realistic residue tolerance levels. The increased ability to detect residues at smaller and smaller levels should not automatically result in decreased tolerance levels or the removal of drugs and additives from the market without sufficient scientific proof to establish a reasonable public health risk.

NCBA believes that animal drugs and additives need to be used in the beef industry in order to produce safe and wholesome meat products for the consuming public. In short, healthy animals produce safe and wholesome food. We encourage livestock producers to use animal drugs and additives in conformity with dosage directions, requirements, and withdrawal periods. Through the Beef Quality Assurance (BQA) Program, producers commit to using sound animal husbandry and preventive practices to limit the need for antimicrobials. NCBA recommends and participates in long-term producer and veterinarian education on the prudent use of antimicrobials in food animals.

Beef producers understand and accept their responsibility in protecting the health of both humans and animals. NCBA believes in a farm-to-table approach to producing safe food. No one sector of food production should be entirely responsible for preventing food hazards. Minimization of hazards should begin with sound farm-management and continue through processing, distribution, retail, and consumer handling. FSIS monitoring and surveillance at slaughter is an important element in this process.

NCBA encourages USDA, FDA, and the CVM to continue to work with the beef and meat producers, processors, and retailers to find solutions to food safety problems. Although eliminating sources of food hazards will be challenging, it is possible to achieve minimal risk through cooperative efforts beginning on the farm and concluding in the hands of the consumer.

Any fundamental change in the current residue program is an issue that warrants careful consideration. Any change should be preceded by an opportunity for public comments and participation by all affected parties.

It is vitally important to look at past measures and actions taken on the issue of drug residues, to determine the best role for FSIS to assume. It is also important to make sure a fair measure exists between a "hazard reasonably likely to occur", critical control points, and responses to those points. Even as antimicrobial residues are not a "hazard reasonably likely to occur", FSIS must maintain a central role in monitoring and surveillance.

It is imperative that government maintains a strong continued presence in collection, monitoring and surveillance for antimicrobials, using risk-based determinations. Without this assurance, consumer confidence, both in the U.S. and internationally, could be severely damaged. It is not likely that domestic consumers or our international trading partners will be willing to accept company data as assurance that no violative drug residues exist.

The Codex Alimentarius Commission recently reported an initiative to gather information from member countries on monitoring the occurrence of veterinary drug residues in their national drug residue control programs. This initiative would identify analytical methods acceptable to national authorities, and suitable analytical methods to support Maximum Residue Limit (MRL) recommendations. As an added measure in maintaining consumer confidence, FSIS should utilize the information gathered by Codex for monitoring and verification activities, domestic and internationally.

The 5/15 policy, which provides that a producer must present five "clean residue tests" and a dealer or auction market present fifteen "clean residue tests" in order to be removed from the FSIS "repeat violator" list, has been ineffective as a deterrent to those individuals who knowingly and repeatedly sell medicated livestock and who may be circumventing the surveillance system. NCBA, and several packer associations, sent a letter to FSIS to this effect July 27. We request that FSIS terminate the 5/15 policy in favor of a more meaningful cooperative program with FDA. The proposed program would be designed to provide a listing of repeat violators generated and updated by FDA and made public by FSIS. This approach will enable market cattle processors to make informed decisions on who they wish to do business with as well as providing a strong disincentive to continued sales of violative cattle.

We appreciate the opportunity to express our views and look forward to working with the agency in further development of policies on the issue of Residue Control in a HACCP Environment.

Sincerely,

Sonia K. Voldseth

Sonia K. Voldseth
Associate Director, Food Policy

Cc: Tom Billy