



BEEF PRODUCTS
INC.

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January 9, 2001

FSIS Docket Clerk
Room 102, Cotton Annex Building
300 12th Street S.W.
Washington, D.C. 20250-3700

Re: FSIS: Next Steps; Docket No. 00-47N

Dear Ms. Moore:

BPI, Inc. (BPI) of Dakota Dunes, South Dakota, respectfully submits these comments in support of the Food Safety and Inspection Service's (FSIS) "Next Steps" initiative; especially its plan to remove unnecessary obstacles to innovation and technology development.

BPI prides itself on its commitment to enhancing the safety of its products. It has spent literally millions of dollars on creating a state-of-the-art facility which was designed with the express purpose of controlling and reducing the microbiological profile of red meat.

Moreover, BPI is currently completing validation testing of a new intervention which can significantly control pathogens, such as E. coli O157:H7, on raw products. Given the benefits of this intervention, we hope to proceed expeditiously in implementing this technology at our facility. In this regard, we urge FSIS to streamline the process for new interventions.

First, FSIS should treat an intervention as a critical control point under HACCP whenever the intervention "eliminates, prevents or reduces the food safety hazard to an acceptable level." This means no express, prior approval is necessary, though guidelines could be disseminated to provide for regulatory safe harbors and to assist establishments in validating the intervention.

Second, FSIS should identify the crucial issues which the plant should address in validating the CCP. We would respectfully suggest the following "checklist:"

Effectiveness—Does the technology work?

- What pathogens are controlled;
- What is the effectiveness in terms of log reduction;
- How has effectiveness been determined, e.g., in-plant pilots, laboratory studies, finished product testing; and
- How will effectiveness be verified on a continuing basis?

Safety—Is the technology safe?

- Is the treated product safe;
- Is the process safe for the workers; and
- Is the process safe from an environmental perspective?

Aesthetic/Economic Concerns—Does use of the technology pose a significant departure from consumer expectations?

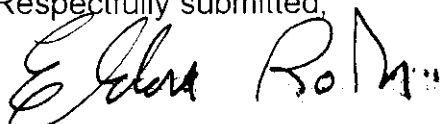
- Is the treatment detectable; or
- Does the treatment make the product less desirable?

Third, provided the establishment has scientific support for the above, it should be permitted to implement food safety interventions as part of its HACCP plan without any “pre-approval” or other agency clearance required. Should a question arise as to the intervention, the establishment should be permitted to continue to employ the intervention pending resolution, provided the intervention poses no food safety issues. Resolution of any question should be handled through the agency’s technical advisory group (i.e., TAG) procedures.

We respectfully submit that the above approach is consistent with the agency’s transition away from “command and control” (with the requisite pre-approval) to a science based inspection program where establishments have both the duty and the opportunity to improve the safety of their products. Treating the interventions as CCPs will enable establishments to most rapidly implement such interventions while retaining agency oversight through the HACCP plan (including verification testing).

We appreciate the opportunity to express our views on this matter and look forward to working with the agency to remove unnecessary obstacles to innovation in the public interest.

Respectfully submitted,

A handwritten signature in black ink that reads "Eldon Roth". The signature is written in a cursive, slightly slanted style.

Eldon Roth
President
BPI, Inc.