



## National Pork Producers Council

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Dr. Daniel L. Lazenby  
 Acting Director, Technical Analysis Staff  
 Office of Policy, Program Development and Evaluation  
 Food Safety and Inspection Service  
 U.S. Department of Agriculture  
 Room 409, Cotton Annex  
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00-051N  
 00-051N-2  
 Barb Determan

Dear Dr. Lazenby:

The National Pork Producers Council (NPPC) would like to present comments on the notice, Docket No. 00-051N, on the Food Safety and Inspection Service (FSIS) changes to the Residue Testing Procedures.

NPPC is a national organization that represents, through forty-four affiliated state associations, the nation's pork producers. NPPC membership accounts for most of America's commercial pork production. The U.S. pork industry is one of this country's most important agricultural sectors, accounting in a typical year for more than \$10 billion in annual farm sales. U.S. pork production generates overall economic activity of approximately \$64 billion annually and supports an estimated 600,000 American jobs.

The U.S. pork producers clearly play a key role in ensuring the food they produce is safe and this is a high priority to the industry. The pork industry has been very responsive to the issue of residues in the food supply and will continue to do so. The amount of residues currently in the pork industry is less than .02% of all animals marketed. This small percentage is due to the industry sponsored producer education programs and the industry's concern for producing a safe product.

NPPC has reviewed the notice announcing the change in residue testing procedures by discontinuing the "5/15" policy and establishing a website maintained by FSIS listing for 12 months, the names and addresses of sellers of livestock and poultry with repeat residue violations. It should be noted that the pork industry was not involved in the discussions the agency held with industry dealing with residues in cattle, nor did we request the changes by several industry groups for notification of repeat violators in the cattle industry. Discussions were held with specific industry representatives to deal with a specific issue. FSIS has taken those discussions and broadened it to include all livestock and poultry. NPPC agrees with the FSIS and industry approach to decrease the amount of residue violations and protect public health. However, since there was not a proposed rule on these changes with no opportunity to comment and we were not part of the original discussions, we need to now raise several issues and questions to FSIS as this change moves forward.

This change in the residue program can have a significant impact on the consequences to the producer identified with a violation. FSIS and the Food and Drug Administration (FDA) need to accurately determine and investigate the "seller" of the livestock that was in violation. FSIS needs to work with plant personnel when taking samples to ensure proper identification of the source of the sample.

  
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Has FSIS conducted a study that correlates tissue collection with the actual source of the samples? Pork producers in the past have experienced on-farm investigations after samples were misidentified at the plant. With the severe consequences of a seller's name and address being listed on a publicly available website, it is even more important that the correct seller be held accountable. The directive from FSIS to the field needs to clearly describe for the inspector a sampling process that will minimize any potential misidentification of the seller of the livestock.

The U.S. pork industry consists of producers that may have animals on many different sites for production with different feed sources or animal health products used. We feel that it is imperative that FSIS and FDA work to identify the "site" where the repeat violation occurred in order to properly investigate and correct the actions of the violator. Pork producers market their animals on a regular basis and prompt notification of a violation is needed so the producer does not market other violative animals.

Some other questions that were not addressed in the notice that we would like clarified are:

- What process for an appeal is available to a producer if they are assigned the responsibility of a violation?
- Given the liability of a violation and the lack of "fail-safe" individual animal or premise identification system, how can FSIS guarantee the proper identification of a violator?
- What changes – and at what cost – will the proposal have on the current marketing, collection and identifications of market swine, sows and boars?
- If a seller is found as a repeat violator, when does the 12 months on the violator list begin?
- What division within FSIS has the responsibility to maintain the website listing the violators?
- What process will FSIS implement to ensure that suspect animals are not marketed through alternative channels?
- How often will the website be updated?
- What economic impact will this proposal have on the average pork producer?

NPPC would like to work with FSIS to reach the goal of eliminating residues in pork products. As this change to the residue testing procedure can have a significant impact on a producer, we offer for your consideration these questions and comments to help ensure accuracy with identifying repeat violators. The clarification you provide will enable pork producers to receive the education needed on the changes to the residue program. Thank you for your consideration of our comments and questions.

Sincerely,



Barb Determan  
President

cc: Tom Billy  
Stephen Sundlof