

November 15, 2001

01-030N-104
104
FSIS Docket Room (Docket #01-030N)
U.S Department of Agriculture, Food Safety and Inspection Services
Room 102, Cotton Annex
300 12th Street SW
Washington, D.C., 20250-3700

01-030N 01-030N-104 Tyson Foods, P-1362
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There is just not enough time with the protocol still being under review by FISIS to get the necessary data collected and analyzed. We want to be 100 per cent sure of all of our testing methods, and would like to have ample time to do any needed re-testing of methods prior to spending the large quantity of money needed to comply with the retained water statements. Once we receive the go ahead, it will still take time to get the needed supplies. There is the possibility of a shortage of the needed supplies because of the large amount of companies this will affect. With the holidays upon us, the "time frame" even becomes more of an issue. In addition, we have approximately three plus months of packaging supplies we would need to use up prior to moving onto the new. Getting new supplies, which includes proof work, plates, running material, etc, will take several months. Placing any type of stick on labels would only be disastrous for the plant in the form of being non-compliant by such stickers falling off.

At present, we do not have the space to place another piece of equipment in our lab. We do not do Salmonella spp. testing on site so this must be sent out. In addition, we do anywhere from 100 to 120 E.coli test per week. The extra testing will take some prior planning to accommodate.

If we do not get the extension granted, we could effectively shut down the poultry industry. Thus driving the cost of the other proteins up having a negative affect on our already shaky environment. With the added stress that Americans are feeling today, we think this could only have more negative affects, since food supply has always been one of Americas strong points. Postponing this rule will have no negative affects on the consumer; the choices that have today will still be there after January 9th.

At our plant in particular, we are planning to put in a new chiller after the first of the year, so this would just actually double the hardship on us.

We respectfully request that you postpone this moisture final rule until a later date when we can all be better prepared to meet the demands of this ruling.

Respectfully,
The Management @ P-1362
Tyson Foods, Inc.
One Tyson Avenue
Noel, MO. 64854