



November 15, 2001

Docket Clerk
USDA, FSIS
300 12th Street, S.W.
Room 102 Cotton Annex
Washington, DC 20250

106

01-030N
01-030N-106
Jeffrey Walther

[Reference: Docket Number 01-030N]

On behalf of Mountaire Farms, Inc. and our integrated customer-supplier network, we respectfully support the "Citizens Petition to Extend the Effective Date of 9 CFR 441.10". Bases for our support include, initially, the FSIS and industry reconciliation of Moisture Rule definitions, objectives, and procedures was not reached until July, which only then provided us a foundation to develop protocols for our six wash-chill systems.

Second, although the time line for developing and submitting our protocols, receiving no FSIS objections within 30 days, and conducting the testing has been uninterrupted, laboratory facility's accommodations both on-site and outsourced have been rate limiting factors in complying with the January 9, 2002 target date.

Third, after determining a wash-chill system that meets the regulatory Salmonella Performance Standard and achieves the most favorable microbiological and organoleptic characteristics, the time necessary for the extensive analytical testing for retained water in our expansive raw product mix may extend beyond January 9, 2002. Subsequent expensive modification of over 200 labels provided by a commercial label printer and creation of over 100 in-house labels could doubtfully be expedited at any cost to comply with the deadline.

Lastly, and most closely related to affects on the consumer, the limited scope of the studies that ignore documented seasonal effects, and the haste with which many companies are conducting tests increase the potential for error in results reporting and conclusions.

In our continuing efforts to provide service, safe and high-quality products, and reliability to our consumers, we will take every opportunity to strongly recommend that the retained water statement be associated with nutrition facts, effective within one year of the Agency's response to the current Petition, and more importantly be included in the inevitable mandatory nutritional labeling of raw single ingredient poultry. This will consolidate analytical information that is periodically updated and reduce the tremendous additional economic burden on "private label producers" associated with creating and modifying two labels, instead of one.

We appreciate the opportunity to comment on the Final Moisture Rule and its effective date.

Sincerely,

Jeffrey Walther
Director, Technical Services
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