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Refrigerated Foods and
Livestock Production Group

October 23, 2001

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FSIS Docket Room
Docket #01-030N
U.S. Department of Agriculture
Food Safety and Inspection Service
Room 102 Cotton Annex
300 12th Street S W
Washington, DC 20250-3700

01-030N
01-030N-131
Katie Hanigan

Farmland Foods is submitting the following comments regarding “the petition requesting a postponement of the effective date of regulations limiting the amount of water that may be retained by raw meat and poultry products”.

Farmland Foods is requesting the effective date of the final rule “Retained Water in Raw Meat and Poultry Products; Poultry Chilling Requirements” be postponed until FSIS provides more clarification. Once clarification is received, companies will need at least two years to collect the pertinent data, make the required process changes and collect verification data. The amount of retained water at time of packaging could be drastically different than the amount of retained water found in the field. This needs to be studied and could vary with product handling procedures.

Clarification is needed regarding the following points:

The final rule and FSIS Notice 22-01 states companies must determine the amount of retained water in a single ingredient raw meat product as a result of processes used to meet **applicable food safety requirements**. Kill floor offal products are single ingredient products, but do not have any “applicable food safety requirements.” There are no E.coli or Salmonella standards. **Does this final rule apply to products with no “applicable food safety requirements”? Does this final rule apply to both edible and inedible offal products?**

Regarding the need to submit a protocol – the final rule states “Under Section 441.10 (1), the establishment must keep this protocol **on file and available** to FSIS personnel. The protocol must explain how the data will be collected and used in making the required demonstration for the product the protocol covers. Under Section 441.10 (2), the establishment must notify FSIS as soon as its data-collection protocol – whether new or revised – **is available** to the Agency”. Based on the language in the final rule, industry is instructed to keep their data collecting protocol on file and available to FSIS personnel. However, FSIS Notice 22-01, Section VI – gives a mailing address, e-mail address and/or fax number for companies to use when submitting their protocol. If the agency is not going to “approve” the protocol... why does the agency send an “objection or “no

objection" letter to the company. A "no objection" letter is an approval. **Is a company required to submit a written protocol to the FSIS Technology Program Development Staff...for approval?**

Section VIII, (A) of FSIS Notice 22-01 states the flushing with water of stomachs, small intestines and large intestines etc. are not subject to the retained water regulations. **What if the flushing with cold water has a cooling effect on the product? Does this process now fall under Section VIII (B) – water or ice chilling used to remove heat from parts?**

All of the above points of confusion came after reading FSIS Notice 22-01 issued on 6/29/01. FSIS needs to issue a set of "Questions/Answers" or issue a technical amendment of clarification to the final rule.

Sincerely,

A handwritten signature in black ink that reads "Katie Hanigan". The signature is written in a cursive style with a large, looped "H" and "G".

Katie Hanigan
Director of Food Safety
712-263-7383.