



We're Chicken.®

To: U.S.D.A./F.S.I.S

From: Keith Rudowske
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Keith Rudowske

Subject: Implementation of New Moisture Rule

We have become increasingly aware of the impending changes that will accompany the Jan. 9 enforcement of the moisture rule. We are concerned about the feasibility of accomplishing all that needs to be done in the short amount of time left. We are also concerned about the economic impact it will have on the poultry industry and our suppliers. All the steps involved in the ruling stages have made it impossible to accomplish all the testing and preparations needed to implement testing and labeling at the plant level.

This was a two-part rule; the guidelines for the first part of the ruling were published after half of the implementation was expired. Then protocol was developed and submitted, 20% of the time remaining was used waiting for a no objection letter. When the no objection letter was received, supplies had to be ordered for the increased micro testing. The experiment itself will take a minimum of 3 weeks. This time will increase to 4 or 5 weeks with the up coming holidays to avoid carrying samples over a weekend. Putting the resulting data together will take a week and analyzing the moisture data will take at least another week. Next we will have to develop a process control system to assure we are not exceeding unavoidable moisture levels. This will take up to a month. We also have collect data on moisture retained in the package. This must be done with 95% confidence, which will require us to gather data that takes into account seasonal differences. Another year will be required to gather this type of data. This does not include the 2-month's worth of packaging we currently have on hand, or the time it will take to make plates needed to print labels with the moisture level.

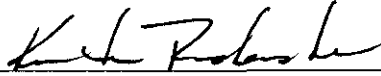
Another issue is the physical and personnel needs to accomplish all the required testing. Salmonella testing is sent out. Our corporate lab estimates requiring 6 months to accomplish this. Our lab is not equipped with a drying oven. We will have to purchase an oven, hire qualified people, and train these people. The protocol will add at least another 50 E.Coli samples per day. The additional load on our lab may require additional space and additional personnel.

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The logistics of simply being able to get proper labeling will be extremely difficult. The print shops will have to print new plates that state the required moisture declarations, then deliver the labels. There will be several hundred plants ordering labels at the same time, all with different moisture levels, all with different plates. This will cause some plants to miss the deadline.

We are asking for a postponement of this ruling. Otherwise the poultry industry will be effectively shut down, eliminating a choice of protein for the consumer. In turn this will drive up the cost of other proteins, hurting the consumer's pocket book. There will also be a ripple effect on other support industries. Our trucking partners, packaging suppliers, suppliers of various maintenance and team member supplies will all be effected by the shut down of our industry.

Sincerely,



Keith Rudowske, Plant Manager
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