



Sanderson Farms, Inc.

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November 8, 2001

Docket Clerk
U.S. Department of Agriculture
Food Safety and Inspection Service
300 12th Street, SW
Room 102 Cotton Annex
Washington, DC 20250

01-030N
01-030N-24
John T. Rico

24
Rec'd
11/14/01

Re: Docket number 01-030N

Industry Petition to Postpone the Effective Date of Regulations Limiting and Requiring Labeling for Retained Water in Raw Meat and Poultry Products

The following comments are submitted in support of the above referenced industry petition:

This rule was published on January 9, 2001. Immediately, industry representatives brought up numerous questions regarding the implementation of the rule. During a meeting held February 27 and 28 in Omaha, NE, There were numerous additional questions and few answers to questions posed earlier.

In efforts to seek additional guidance on the protocol design, representatives of several industry groups, including the National Chicken Council, developed several sample protocols and sent them to the agency for review. In July, FSIS responded to industry's protocols and published the "pre-implementation procedures". However, by this time, six months of the twelve months from the original publication to implementation had elapsed. This cleared the way for individual plants to develop their own protocols using the recommended example published by FSIS. During the ensuing months, many plants have evaluated their facilities and designed protocols appropriate to their own situation.

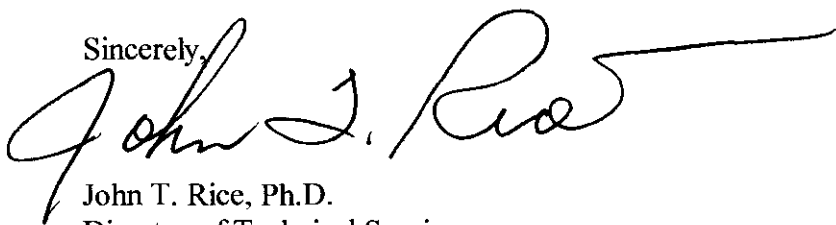
Many plants are now in the initial stages of conducting testing to justify moisture picked up during the chilling process and at the same time meet food safety microbiological standards. With all plants having to conduct Salmonella testing simultaneously with the moisture pick up measurement, the need for Salmonella testing facilities and materials will further extend the time period for many companies to conduct testing in their corporate labs or in other private labs. Following the justification of certain chiller setting combinations to minimize moisture pick up and meet food safety standards, the facilities must gather data to determine the amount of retained moisture in products. Preliminary work has already shown that there is considerable variation in the natural moisture in poultry meat immediately following evisceration. It is reasonable to expect that in order to have the most accurate data, seasonal variation during the calendar year

must to taken into account. This would take an additional twelve months of data collection and analysis.

Finally, after all data has been collected and evaluated, decisions must be made on label changes. Most of the prepackaged products are wrapped with preprinted film. Designing and printing of new film for all these products will place a tremendous load on the few companies which manufacture printed films for the meat industry. They have informed us that it would take at least six months to get all industry film changed over to film that declares the amount of retained moisture.

Given all of the factors above, industry would not have had time to develop all the data and redesign film in the twelve months originally allocated after rule publication. I feel that it would be fair to grant a delay until January 2004 for implementation of the retained moisture rule. Without a reasonable extension well beyond the January 9, 2002 date, most, if not all if the poultry industry would be forced to shut down. This is not needed or necessary. Since nothing will change, from the consumer's perspective, if the implementation date is changed, the only negative impact on the consumer is if a postponement is not granted resulting in the consumers being deprived access to wholesome, nutritious and economical poultry products

Sincerely,

A handwritten signature in black ink, reading "John T. Rice". The signature is written in a cursive style with a long horizontal flourish extending to the right.

John T. Rice, Ph.D.
Director of Technical Services