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Docket No. 03-015N, FSIS Docket Room
Department of Agriculture, Food Safety and Inspection Service
Room 102, Cotton Annex
300 12th Street SW
Washington, DC 20250-3700

03-015N
03-015N-1
Robert (Skip) A. Seward II

***Re: Docket No. 03-015N: FSIS Safety and Security Guidelines for the
Transportation and Distribution of Meat, Poultry and Egg
Products***

To Whom It May Concern:

The American Meat Institute (AMI) is submitting these comments on behalf of its members from the meat and poultry products industries. The Food Safety and Inspection Service (FSIS) Safety and Security Guidelines for the Transportation and Distribution of Meat, Poultry and Egg Products directly affect our members.

AMI supports very strongly the development and use of guidelines to improve food safety and security in the handling of FSIS-regulated products. In the area of food security, AMI agrees with FSIS that the use of guidelines is the best approach to assist the industry in taking the right steps toward securing the food supply against intentional or unintentional acts. We do not believe rulemaking is necessary, or the right approach for the transportation and distribution industries where the diverse and complex nature of these businesses makes rulemaking inappropriate and ineffective. This is reflected in the FSIS statement indicating "not all of these measures will be appropriate or practical for every facility" (*FSIS News and Information*, August 4, 2003).

FSIS poses several questions for stakeholders to answer in regard to the guidelines. These questions and the answers from AMI are provided herein in response to the request for comments.

Are there problems regarding food safety and food security in the transportation, distribution, or storage processes that the guidelines fail to address; or if all issues are addressed, are there flaws in the approaches described in the guidelines?

In Section I, there is a suggestion that processors might want to “include special arrangements with receivers to sample and conduct microbiological or other tests on products.” Microbiological testing, or testing for other unknown chemicals, cannot be used to routinely “inspect the security into a product.” Only if there is a clearly defined threat would testing be applicable; and even then, it is unlikely that manufacturers could tolerate any “consumer risk” in the event product was reportedly contaminated with a chemical or biological agent.

Section II suggests that water and ice should be tested “to ensure it is safe to use.” Again, this is impractical since from a security standpoint, what should one test for to ensure safety and security on some routine basis?

If the guidelines can be improved, how could they be improved?

In Sections I and II, there are significant references to training of employees on food safety and security issues. AMI suggests that operational protocols and controls should be the focus of training, these coming together to form the safety and security programs. It is through the daily operational controls that food safety and security will be ensured.

Will transporters, distributors, and storage facilities have difficulty complying with these guidelines? If so, what difficulties do the guidelines pose? Would the guidelines pose greater, or different, difficulties for small firms than for large firms?

Section I speaks to loading or unloading in the morning or evening during hot weather. Many factors, such as traffic and city codes, dictate loading and unloading times, i.e., this often is not under the control of the transportation and distribution companies involved. This can be particularly true in large, congested traffic areas, and for restaurants operating throughout the workday and often into late evenings.

Both Sections refer to procedures for the safe handling and disposal of contaminated products. For known microbial hazards, this may be fairly straightforward; however, when it comes to security issues involving unknowns, prions, chemical or radiological agents, the disposal and decontamination issues are much more complex. In general, more research and development, and cooperation amongst governmental and industry are necessary to plan for proper safe handling and disposal of contaminated products.

Should the agency initiate rulemaking to adopt the guidelines as regulations or will the guidelines be sufficiently effective if there are only voluntary?

There is no way to determine the success of guidelines in directing the industry, although guidelines have worked well in other areas such as animal welfare. Throughout the industry, there is a great deal of interest in ensuring food safety and security. Certainly those manufacturers with brand recognition are (and have been for many years) taking strides to ensure that their products are not compromised during transportation and distribution. With the diverse industries in these businesses, regulations seem inappropriate and impractical at this time.

Would mandatory implementation of these transportation guidelines have any unusual or particularly significant impacts on any portion of the food distribution chain? If so, who would be affected and how?

As stated above, FSIS recognized that “not all of these measures will be appropriate or practical for every facility.” Knowing that this is the case, how would FSIS differentiate those guidelines that would be regulatory in nature from those that would be guidelines only, i.e., on what criteria would such a split be made? The effort would be better served by continuing to involve all elements of these businesses in educational efforts, bringing to the businesses these guidelines, and in the future, best practices.

Would mandating these guidelines by regulation increase costs to transportation, distribution, and storage facilities? If so, would this result in increased costs to the consumer as the end user?

There have been reports that some companies are charging additional costs for securing trailers with new seals after each delivery. These costs were reportedly near \$900.00 per shipment.

Sincerely,

A handwritten signature in black ink that reads "Skip Seward". The signature is written in a cursive, flowing style.

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