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October 3, 2003

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

03-015N
03-015N-3
Leslie G. Sarasin

RECEIVED
FSIS DOCKET ROOM
03 SEP 30 PM 3: 9

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

Dear Sir or Madam:

The American Frozen Food Institute (AFFI) is pleased to respond to the Food Safety and Inspection Service's (FSIS) request for comments on the FSIS Safety and Security Guidelines for the Transportation and Distribution of Meat, Poultry, and Egg Products. AFFI's more than 500 member companies are responsible for approximately 90 percent of the frozen food processed annually in the United States, valued at more than \$60 billion. AFFI members are located throughout the country and are engaged in the manufacture, processing, transportation, distribution, and sales of products nationally and internationally.

AFFI applauds FSIS's efforts to assist food processors and shippers in their efforts to ensure that Americans continue to enjoy a safe supply of food. AFFI believes that general guidance developed for such a large and diverse audience, such as the meat, poultry and egg industries, is important. The safety and security of food and food ingredients in transport requires the cooperation of many parties. Thus, general guidance, which industry members may incorporate into contractual agreements among themselves, is the most effective and productive method to manage the vast food industry transportation infrastructure.

Although the Institute conceptually agrees with the guidance, we offer a few recommendations that will streamline the document and make it more useful. AFFI is pleased to respond specifically to two of the questions FSIS asks in the request for comments.

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

- 1. Ensure that FSIS field staff understands the voluntary nature of the guidelines.**

AFFI is concerned that, if the voluntary nature of the guidelines is not stressed, field staff and others could interpret the document and the recommendations embodied in it as mandatory. This misunderstanding could lead to products' being retained or detained, and could drain important Agency and industry resources.

The use of the words "strongly encourage" in FSIS Administrator Gary McKee's letter accompanying the guidelines is troublesome. The use of this term may lead field staff and some operators to conclude that the guidelines are mandatory. AFFI recommends that subsequent communications should not include the words "strongly encourage" and should emphasize that the guidelines are only recommendations. Additionally, AFFI recommends FSIS ensure that field staff is made aware that the guidelines are not regulations.

2. Remove the "for food use only" designation for transport vehicles, containers, and conveyances used only for transporting foods.

Vehicles, containers, and conveyances used to transport food are not typically marked with this designation, and AFFI believes it is not needed. There already are strict protocols for loading and inspecting vehicles, containers, and conveyances used to transport food. Including a "for food use only" marking on all vehicles, containers, and conveyances would add an unnecessary cost to the shipment of food. Further, a "for food use only" designation on transport vehicles would increase the potential security risks to these vehicles and the food products they contain. Importantly, the *Public Health, Safety and Bioterrorism Preparedness and Response Act of 2002*, recognizes food as a vital U.S. infrastructure industry that must be secured. Labeling transport vehicles with a "for food use only" designation would make such vehicles a target for those who might attempt to contaminate the food supply.

3. The designation of dedicated transport vehicles is unnecessary.

AFFI believes that dedication of transport vehicles for food use only is unnecessary. Industry protocols for cleaning transport vehicles, containers, and conveyances already exist. For example, the Food Industry Transportation Coalition recently released "Bulk Over-The-Road Food Tanker Transport Safety and Security Guidelines," which address bulk food tanker sanitation and security issues. Other federal agencies, trade associations, and allied organizations also have published general guidance with respect to the transportation of food. For this reason, AFFI believes the guidance to use only dedicated food transport vehicles should be omitted.

4. Delete the recommendation to keep empty trailers locked at all times.

AFFI believes that trailers, when filled, should be locked and sealed. Empty trailers can be open if in a secured area. Empty trailers are often left open after cleaning to allow for drying.

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

AFFI believes the guidelines should remain voluntary. The meat, poultry and egg industries are made up of a large inter-connected network of companies and vehicles. The safety and security of meat, poultry and eggs in transport requires the cooperation of many parties. Thus, general guidance, which can be incorporated into contractual agreements between and among industry members, is the most effective and productive method to manage the vast transportation infrastructure of the meat, poultry, and egg industries. Regulations which suggest a "one size fits all" approach to the safe and secure transport of meat, poultry and eggs cannot anticipate nor can they effectively regulate this vast network.

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AFFI appreciates the opportunity to comment on these important guidelines. Thank you for your consideration.

Please contact me if AFFI can assist the agency with additional information or perspectives that may be helpful.

Sincerely,



Leslie G. Sarasin, CAE
President and Chief Executive Officer