



Australian Government

Australian Quarantine and Inspection Service

(4)

**COMMENTS OF THE AUSTRALIAN GOVERNMENT ON THE
US DEPARTMENT OF AGRICULTURE'S FOOD SAFETY AND INSPECTION SERVICE
NOTICE OF AVAILABILITY OF THE
FSIS SAFETY AND SECURITY GUIDELINES FOR THE TRANSPORTATION AND DISTRIBUTION OF
MEAT, POULTRY AND EGG PRODUCTS**

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The Australian Government Department of Agriculture, Fisheries and Forestry (the Department) welcomes the opportunity to provide comments on the United States of America (US) Government's Federal Register notice (Docket no. 03-015N): '*FSIS Safety and Security Guidelines for the Transportation and Distribution of Meat, Poultry and Egg Products; Notice of Availability*'.

Australia places a high priority on a food safety system that ensures the production of high quality food at Australian Quarantine and Inspection Service (AQIS) registered facilities. Australia is a major exporter of food exporting to over 130 countries.

The US Food Safety and Inspection Service (FSIS) has requested public comment on a series of questions regarding the published guidelines. Australia acknowledges that a through chain approach to food safety and security is an important aspect in the distribution of safe, hygienic and wholesome food.

Australia provides the following responses to the listed questions:

Q1 and Q2 – Are there problems regarding the 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? If the guidelines can be improved, how could they be improved?

The security concerns for break-bulk cargo and the processes involved in handling this type of cargo do not appear to be adequately addressed in the current '*FSIS Safety and Security Guidelines for the Transportation and Distribution of Meat, Poultry, and Egg products*'.

Q3 – 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?

In general, the Australian system through the use of AQIS meat transfer certificates and other security programmes addresses the most critical elements of the guidelines and are considered aspects good manufacturing practice. The other guideline elements are also embodied in the principles of good manufacturing practice and would be the aim of all companies, food and transport, to achieve.

Given the prescriptive nature of the guidelines, smaller companies may have difficulty achieving specified set criteria. In contrast to prescriptive guidelines, an outcomes based approach would

allow smaller companies to be innovative in the ways that they achieve high levels of food safety, and where necessary, to build upon current working systems of food safety and security.

Q4 – Should the Agency initiate rulemaking to adopt the guidelines as regulations or will the guidelines be sufficiently effective if they are only voluntary?

Commercial operators in the food industry including transporters, distributors and storage facilities, aim to ensure that the food they handle, distribute, store or sell is safe, wholesome and secure. The basic principles of return trade and on-going commercial success would be the driving forces behind such companies ensuring the safety and security of the food that they handle. It would be unnecessary to mandate the guidelines into regulations as the safety and security of food is embodied in current good manufacturing principles, and quality assurance hazard analysis critical control point (HACCP) systems. These guidelines, on page 5, provide the basis of a HACCP based system flow diagram and transportation safety plan to assist food, transport, distribution and storage companies with developing safety and security controls for handling food.

Q5 – 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 addressed previously, smaller operators are likely to experience difficulties complying with prescriptive conditions rather than outcomes based requirements. An outcomes based system would allow for innovations and greater efficiency in the methods used to achieve high levels of food safety.

If these guidelines were to be made mandatory, consideration should be given to the use of transition phases to allow small and less prepared operators time to comply with the requirements. Ideally, outcomes based requirements would provide the most flexible and efficient mechanisms for achieving food safety and security.

Q6 – 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?

For those companies that need to increase the level of security and safety of the food product they handle, it is reasonable to assume that there would be costs involved and that the cost of implementing such changes would be passed on to the end user, the consumer.

Where safety and security measures are prescriptively mandated, there may be additional compliance costs experienced more broadly across industry as a whole as food processors, distributors, transporters, and storage facilities adjust current safety and security measures to comply with the letter of the law. Such incurred costs would be expected to be passed on to the consumer.

Australia shares the same concerns as FSIS regarding food safety and security issues. These principles of safety and security of food are embodied in Australian industries' quality assurance HACCP based systems and good manufacturing practice. However, should the FSIS implement procedures to mandate the "*FSIS Safety and Security Guidelines for the Transportation and Distribution of Meat, Poultry and Egg Products*" Australia urges FSIS to consider the use of an outcomes based approach to allow for more efficient, innovative and flexible methods for achieving these goals.