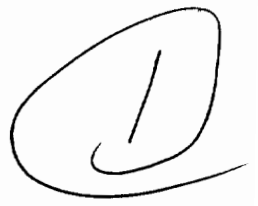


January 13, 2004

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FSIS DOCKET ROOM
04 JAN 21 PM 3: 12



FSIS docket clerk, docket 03-0381F
Room 102, Cotton Annex
300 12th Street SW
Washington DC 20250-3700

Re: 9 CFR Parts 301, 318 and 320
Docket 03-0381F
RIN 0583-AC51
Meat produced by advance meat separation machinery proposal – public comment

Dear Sir:

I protest that comment can not be submitted via e mail, since that is a recognized GEPA use of the internet these days. I think that you are skewing comments by not permitting e mail comments from the general public, and I think that the general public is also not adequately advised that they have a right to comment on these issues. USDA seems to only be in touch with the meat industry profiteers and the general public is generally unaware that they can comment on these issues. USDA is responsible for this lack of public comment since they make no real effort to make sure the public understands it has the right to comment on these issues.

The mission of the Food Safety Inspection Service has been acted on in a very lax and negligent manner, seemingly concerned with food industry profits and enrichment and not concerned at all with true food safety. True food safety in America may have existed in America in 1950, but certainly in 1990 USDA saw that food safety went down the tube and Americans were left extremely vulnerable to food impurities, food disease, inhumane treatment of farm animals so that they are constantly stressed and unhappy, drugged with antibiotics and growth hormones to make them fat (and the people who eat them are fat too). If FSIS was on the ball, they had 25 years to get ahead of this issue and they sat on their hands.

It is clear that a cow is diseased in the late stages. What is not clear is how diseased they are with BSE before 30 months. We really should be acting as if they are diseased if we wanted to be prudent with american's health.

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One wonders why risk mitigation only involved banning infected animals from entering this country when we could very well have had BSE going on in this country all that time, but undiscovered. Perhaps FSIS did not want to discover same and was in fact running from discovery. Certainly allowing the practice many years ago of feeding all animals to other animals ran risks that FSIS should have forbidden particularly with ruminants, which have never been known to eat other animals. How FSIS thought they could get away with that one is beyond me or any other sensible person. FSIS ran a risk with the American food supply simply for industry enrichment and I am disappointed w

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These regulations are for a whole country and the regulations you are proposing only specify a "significant" amounts of bone and bone products. I think any regulations must be much more specific than use of a word like that which is so subject to different interpretation and will result in thousands of lawsuits to interpret that word. I would suggest that 1% be used or some such specific number and I think it is criminal to turn out a regulation that is so open to different interpretation.

I note that Until today FSIS has not taken regulation action against meat containing DRG and other CNS type tissues – FSIS should be ashamed that it has not taken regulatory action until issuance of this proposal. You are 25 years late in addressing a health problem. That is nothing to be proud of.

I also do not think self regulation works. I think we have infected animals because self regulation does not work. There is a greedy sub class who will do anything for money, including infecting animals, including not feeding animals, including abusing animals for profits for themselves. We cannot allow any self-regulation or trust in this matter, especially where this country is already imperiled because of the actions of this meat industry.

I have seen no recalls mandated by FSIS re misbranded beef. It is hard to believe that no problems have occurred, yet there have been no recalls. Strange.

I also disagree that FSIS is choosing to only "slightly Modify" bone solid and bone marrow restrictions. I think that those restrictions should be completely revised. Gardeners in England got creutzfeldt Jacob from garden bone marrow and this is a dangerous substance.

It is clear that "establishments" are not meeting standards. In 1995, 1/3 of the establishments did not meet regulations – this is a poor record.

I do not think it is sufficient to regulate just beef – I think pork, chicken, goat, lamb have been similarly infected since they are all fed each other and this spreads disease. We need regulations for all these meats.

I also oppose the total consideration of economic issues and that FSIS considers them paramount when we are talking about a nations' health issues, which should be paramount. This shows that FSIS is captive to the meat industry and not protecting American citizens.

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I note on page 11 that FSIS used a methodology which was not consistent with common lab analyses for iron measurement – why would any agency anywhere do something so irregular?

I note on page 13 that profitability always seems to be in the forefront of decisions, and it should not be when dealing with health.

On page 15 bottom paragraph – add the words “bone fragments, bone chips” as also being non compliant.

It is clear that the “establishments” cannot produce final AMR product without having spinal cord or DRG in the final product – the US cannot allow that to happen. We need huge fines, companies being put out of business, etc. if standards cannot be met. We cannot have sick populations. The standards set forth for comment are NOT rigorous enough.

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On page 16 – I note FSIS “expects that establishments that kill cattle will reassess their HACCP plans in accordance with 9 CFR. Why doesn’t your gency stipulate and regulate exactly what the American people want the “establishments” to do in this regard. It is time we set rigorous standards instead of leaving this wide open for “establishments to do in 500 different ways, all of which will require investigation. In this situation, the American people demand that FSIS stipulate exact ways that this must be handled and put these stipuations in the mandated regulations – no ifs, ands or buts.

I note FSIS seems to think “self monitoring” works. Well, I don’t. I think we have cheaters far too often and enforcement is lacking, so that self monitoring is an invitation to food disaster.

On page 17 – what is allowed for rendering is far too liberal and lax. We need to ban all materials from rendering that are implicated in any way, shape or form now. For example, brain should not be allowed in rendering. I ALSO THINK WE NEED WARNINGS ON ALL PACKAGES WITH BEEF ON THEM THAT SUCH BEEF HAS BEEN SHOWN TO CAUSE CREUTZFELD JACOB DISEASE AND THAT NO TESTS ARE DONE ON EACH ANIMAL TO ENSURE THAT THE ANIMAL IS DISEASE FREE.

Product derived from the bones of cattle younger than 30 months that may contain CNS syte tissue should not be allowed in edible rendering. Such a product is inedible and should not be allowed in edible rendering. If we have “descriptive” labeling, then the label must be extremely strong, like the cigarette package warning that warns that eating this could kill you. There should be skull and bones on the warning label along with a complete description of what BSE/Creutzfeld does to humans and animals that have it.

Bone marrow from SRM should be identified as an SRM.

I note statements that the “science” is not here. It certainly is here, but the economic profiteers seem to want to keep passing it by so they can enrich themselves. The science says we have no real way to tell which cow is infected and which isn’t, since we don’t test each cow, like Japan does. And even the test may not be 100% so that people do need to be warned. And if they are NOT warned, I predict the same kinds of suits against the beef purveyors like the cigarette smoker than just got \$20 million from the cigarette companies. The beef purveyors better be ready for the millions in dollars in suits they will get from those people who and injured and die from cruetzfeld Jacob.

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Page 19 comments – I note that FSIS has proposed quite lax regulations, that allow the beef industry to continue on its profit enriching march, even though Americans are being injured every single day. I see lax regulation in this proposal.

There is infectivity in the cows long before any outward manifestation to the observer, so cows will have this disease and humans will not know. FSIS seems to want Americans to eat anyway. I also note a rush to a rule, when FSIS sat on this situation for 25 years, which shows how badly this agency is run.

Re page 20 – burden of filling out forms. – I estimate 2 minutes to fill out the forms because after the first time when filling out the forms, the self monitored establishment will write down that all the cows are ok, because they make more money that way. And that is in their economic interest to do.

I see no penalty provisions for violations of any of these regulations in this proposed regulation, even though jail time, high fines, seizure of land, etc. should all be on the table for violators of laws that should be protecting the American food supply.

On page 22 – on Sec 301.2 wording- I think that the word “significant” should be changed to “any portion of bone”.

These are my comments for the public record.

Yours truly



Barbara sachau

15 elm st, Florham park nj 07932

copy;

Rodney frelinghuysen

Senator F. Lautenberg

Senator J. Corzine