



**NATIONAL CATTLEMEN'S BEEF ASSOCIATION**

1301 Pennsylvania Ave., NW, Suite #300 • Washington, DC 20004 • 202-347-0228 • Fax 202-638-0607

June 9, 2006

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

Re: Docket No. 04-006P "Availability of Lists of Retail Consignees During Meat or Poultry Product Recalls."

Dear Docket Clerk:

On behalf of the National Cattlemen's Beef Association (NCBA) I want to express our appreciation for the opportunity to comment on the Food Safety and Inspection Service (FSIS) Docket No. 04-006P "Availability of Lists of Retail Consignees During Meat or Poultry Product Recalls." Producer-directed and consumer-focused, the National Cattlemen's Beef Association is the trade association of America's cattle farmers and ranchers, and the marketing organization for the largest segment of the nation's food and fiber industry.

Providing consumers with the safest beef possible is a top priority for the U.S. beef industry. In the event of a recall, consumers must receive appropriate information in a timely manner to determine if they possess the recalled product. This is one mechanism in place to ensure the safety of beef consumers. NCBA concurs with FSIS when it states in this proposed rule that the current recall measures are effective.

FSIS currently provides the appropriate information for a consumer to identify the product. This information includes:

- a description of the food being recalled,
- identifying codes for the product,
- name of the production establishment,
- level of distribution of the product,
- and in most cases even a picture of the product label.

**AMERICA'S CATTLE INDUSTRY**

Denver

Washington D.C.

Chicago

In this proposed rule, FSIS is proposing to publish on their website, the list of retail consignees of a recalled product. NCBA understands the agency's intent in providing this information, but NCBA questions if this enhances the consumer's ability to identify recalled product.

We believe the practical limitations of this proposal will not enhance consumers' ability to identify recalled product. FSIS will gather the list of retail consignees during the trace forward part of the recall investigation. This verification process, according to FSIS Directive 8080.1, Attachment 3 (dated May 4, 2004), should start within three days of an initiation of a Class I recall and be substantially completed within ten days. This means, at best, it will take the agency at least one week to publish the list of retail establishments and in most cases much longer.

NCBA questions how effective this will be for consumers who hear about the recall in their state but then must wait seven days to check a website to see if their store received the recalled product. In most cases, by the time the retail consignees are published, the product will be past its shelf life and therefore not usable to the consumer.

NCBA believes that consumers will continue to use the current information provided to them via FSIS press releases rather than hold the product in their refrigerator until FSIS releases the retail consignees.

In the public meeting on April 24, 2006, FSIS asked several questions on incomplete lists and how this might impact the effectiveness of the rule. If FSIS posts incomplete information it will very likely lead consumers who do not see their store listed to believe that their product is safe. However, to wait until the list is complete will significantly delay the release of the information making it not useful at all. If FSIS decides to post the information in an incomplete form, a disclaimer will need to be provided that is very clear and displayed in a manner that the consumer cannot ignore.

NCBA would like to work with FSIS to find the most effective measures to further increase the effectiveness of the recall process. At this time, we do not believe that this proposal will increase that effectiveness and in fact, may actually cause more harm.

Sincerely,

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

Leah Wilkinson  
Director, Food Policy