NAMP
North American Meat Processors Association

July 20, 2005

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FSIS Docket Clerk
Food Safety and Inspection Service
United States Department of Agriculture
300 12th Street, SW, Room 102, Cotton Annex
Washington, DC 20250

04-042N
04-042N-3
Ann Rasor

Re: FSIS Docket No. 04-042N: HACCP Plan Reassessment for Mechanically Tenderized Beef Products

To Whom It May Concern:

The North American Meat Processors Association (NAMP) would like to submit the following comments pertaining to the Food Safety and Inspection Service (FSIS) Docket No. 04-042N "HACCP Plan Reassessment for Mechanically Tenderized Beef Products." NAMP is a trade association representing small to medium sized meat processing facilities throughout the United States and Canada, who produce a variety of meat, poultry and seafood products and adhere to the most stringent standards of both food safety and quality. Many NAMP members specialize in raw, portion controlled beef items, and this notice affects their operations in particular.

Producing the safest products possible is the first priority for NAMP members in achieving top levels of quality and customer satisfaction. Since 1942, NAMP members have been leaders in industry innovation and progress. Our membership is committed to food safety and to the fight against E. coli O157:H7 in particular. As further processing companies, we remain vigilant in controlling an invisible pathogen that can contaminate our raw material supply before it arrives at our facilities.

NAMP long ago recognized a possible risk concerning non-intact beef products, and have been involved in research and information gathering on the topic since 1999. Two (2) member surveys have been conducted to get a better understanding of how mechanical tenderization and enhancement is used in meat companies. In addition, we conducted a survey to gain knowledge of how consumers cook the beef products they purchase at retail.

FSIS suggested 4 control measures for processors to consider when conducting their reassessments for raw mechanically tenderized products:

1) Purchasing specifications- Producers of mechanically tenderized beef products were required to reassess their HACCP plans as a result of an October 2, 2002 Federal Register Notice. The reassessments of 2002 took into account new information that showed the prevalence of E. coli O157:H7 may have been higher than previously thought. We provided our members at that time with information on mechanically

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tenderized steaks so that they could take the proper factors into consideration. Much of this information was also discussed in the Federal Register Notice announcing the 2002 reassessments. Both in 2002 and today, the options that further processors have to implement a "kill step" for E. coli O157:H7 are limited. Therefore, our first line of defense against this pathogen is to make sure that our incoming raw materials are free from this contamination.

A NAMP member relies on their purchasing specifications in place to make certain that the raw materials received have been through a validated intervention for E. coli O157:H7. These interventions are further verified by pathogen testing, audits, or other forms of communication with supplier companies. We count on the continuous inspection by FSIS employees to give us further assurance that the processes in our suppliers' plants are properly validated and verified internally as well.

NAMP believes that the constant, every day presence of FSIS inspectors, as well as their access to plant records, gives FSIS a much better perspective on the adequacy of another establishment's HACCP programs. We think that the USDA seal on product should be trusted to mean that the plant is operating under a HACCP plan that has taken into account all hazards, including E. coli O157:H7 for beef products, and that the hazards have been identified and validated controls applied and verified. We fail to see how we, as customers, particularly those with limited buying power, can be expected to track and promote changes in pathogen control in large slaughtering establishments if FSIS cannot.

2) Antimicrobial agents- Further processors at this time have a couple of options available to use that can further reduce the presence of pathogens on meat surfaces and are considered a processing aid. These technologies are being applied in some NAMP member plants today. However, the processes are still somewhat new and may not be feasible for all establishments and products. We feel the development of processes such as acidified sodium chlorite and ozone treatments that can be applied as a processing aid, rather than an ingredient that requires labeling should be encouraged by FSIS. We suggest that FSIS and the New Technologies Staff give the highest priority to technologies that may be applied as processing aids for raw products.

3) Sanitation- Based on the information provided in the May 26th Federal Register Notice, 2 of the 3 outbreaks linked to mechanically-tenderized products were at least partially the result of poor sanitation practices. NAMP would like to endorse the document "Best Practices for Pathogen Control During Tenderizing/Enhancing of Whole Muscle Cuts" put forth by the Beef Industry Food Safety Council (BIFSCo) as a means to address sanitation problems.

4) Labeling

   a. Cooking Instructions- The example that FSIS gives for cooking instructions "cook to at least 140° F" is a good example of labeling that a processor may choose to use. We, however, do not think this labeling is necessary or should be required, since it is already included in safe handling instructions.

      The suggestion may be appropriate as an option if the product is going to an at-risk population, such as a nursing home. Furthermore, many processors may not need the additional labeling because of food safety controls in place, their relationships with customers, or the nature of their customer base.

b. Labeling to distinguish the product as mechanically tenderized- The research from Kansas State University has shown that even when cooking steaks to very low temperatures (130° F) there is not a difference in lethality that occurs between mechanically tenderized steaks, and intact steaks. This calls into question whether differentiating steaks with a label has scientific validity.

   In evaluating the need for such labeling, FSIS should be aware of a consumer survey conducted by NAMP in 2003 in cooperation with Kansas State University. Of 500 survey respondents, only 3% preferred their steaks cooked to a rare temperature, and only 12% preferred a medium rare temperature. That leaves 85% of consumers preferring their steaks at a medium temperature or above. Consequently according to the results of this survey and the research conducted at Kansas State University, the vast majority of steaks prepared are above the temperature required to destroy E. coli O157:H7 in both mechanically tenderized or intact products.

In conclusion, NAMP members are committed, along with FSIS, to the common goal of having the safest meat supply possible, and the safety of mechanically tenderized beef products is no exception. We recognize that the possibility of contamination by E. coli O157:H7 in beef products should be controlled, and NAMP members will do all they are able to do.

NAMP, however, requests that FSIS will recognize its obligation to ensure that meat products bearing the USDA shield have been produced according to FSIS regulation; under a validated HACCP system where potential hazards are identified and controlled. As further processors, we recognize our part in controlling pathogens through temperature controls, proper handling, sanitation, and applicable technologies when available. Based on the scientific research available, much of which is referred to in the Federal Register Notice, additional labeling should not be required to differentiate mechanically tenderized product from intact product.

By allowing establishments up to a year to complete this reassessment, it is evident that while FSIS considers this is an important issue, it is not an urgent one. Based on the knowledge that we have concerning the safety of the products, along with the recent reassessments conducted in 2002, we agree with this conclusion.

Thank you for your time and consideration of our comments.

Sincerely,

Ann Rasor
Director of Scientific and Regulatory Affairs