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**~Important Dates~**

**49th  
Management Conference**  
March 2006  
The Drake Hotel  
Chicago, IL

**64th  
Annual Convention**  
September 2006  
Four Seasons Hualalai  
Hawaii



NORTH AMERICAN MEAT PROCESSORS ASSOCIATION

Docket Clerk  
US Department of Agriculture  
300 12<sup>th</sup> Street SW  
Room 102- Annex Bldg.  
Washington, DC 20250

November 8, 2005

**Re: Notice of Section 610 Regulatory Flexibility Act Review of the Pathogen Reduction Hazard Analysis and Critical Control Point (HACCP) Systems Final Rule [Docket No. 05-024N]**

To Whom It May Concern:

The North American Meat Processors Association (NAMP) is pleased to submit the following comments in regard to FSIS Docket No. 05-024N, "Notice of a Section 610 Regulatory Flexibility Act Review of the Pathogen Reduction/Hazard Analysis Critical Control Point (HACCP) Systems Final Rule."

NAMP is a non-profit trade association representing federally inspected meat and poultry processing facilities from across the United States and Canada. Most NAMP members fall into the "small" category as defined by FSIS. NAMP members are committed to the highest standards of food safety and quality and take pride in the products they produce for their customers and consumers.

Since its development, NAMP has supported HACCP as a science-based, systematic approach to food safety. HACCP provides a great tool to help plants identify what hazards they face and when and where they can control these hazards. HACCP is also a tool for the regulatory agencies to use to focus their efforts on food safety issues and scientific principles. We believe that HACCP today is achieving its goal of improving food safety, and will continue to do so.

However, we also feel that significant resources are being spent, both in industry and FSIS, in achieving compliance with regulatory HACCP, as opposed to concentrating these resources on improving food safety in science-based HACCP. This is true in both small and large processors.

Additionally, the following areas are examples of expenses that small plants have incurred since the onset of HACCP that have been a proportionately larger burden than they are to large facilities:

1. Addition of employees with scientific backgrounds to develop, implement, and maintain HACCP plans, and hiring of professional HACCP consultants.
2. Addition of employees to focus specifically on maintaining compliance with "regulatory HACCP" and record keeping.
3. Development of sampling plans and use of outside laboratories for sample analysis.

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4. Off-site employee training.
5. Production of in house data for supporting documentation.
6. Inability to hold tested product while still meeting customer orders.
7. Capitol investments for microbial intervention technology. Many of the technologies that have become commercially available since the inception of HACCP have been geared towards large, high-volume operations. It is more difficult for low-volume or limited space areas to recover investment costs on technologies available to them.
8. Small plants continue to incur overtime charges because they do not produce enough hours to qualify for a second shift of inspection, but they do produce more than 8 hours a day. These plants are often on a patrol inspection assignment and may only see an inspector a couple of hours a day, yet they are charged overtime every day, whether an inspector comes during those hours or not.

The following are ways that the burden to small processors can be reduced:

1. Small processing plants should not have to use their time and resources to ensure their suppliers are meeting the requirements of federal regulations. Federal regulations, notices, and directives should be able to be used a supporting documentation for incoming product.
2. Many processes throughout the meat industry are essentially the same in every establishment. FSIS should work with industry experts to develop model plans and that can be used for supporting documentation for establishments performing such processes. The plans should include frequency, monitoring, and verification activities.
3. FSIS should establish “safe harbors” for generic HACCP issues. Small plants spend significant amounts of time trying to gather enough scientific documentation for very simple concepts, i.e., product temperatures. Facilities should have the ability to deviate from these safe harbors with the proper documentation, but should not be questioned if they are within the limits. This helps not only small plants, but also inspectors.
4. FSIS should work with small plants to not only give enough notice that product can be held when pathogen samples are taken, but to give enough notice that product can be held and customer orders can still be met.
5. FSIS should continue to encourage research in the development of pathogen reduction technologies that are low-cost, easy to apply, and that will work within the confines of a small establishment. In addition, FSIS should inform plants of these technologies as they become available.
6. The system of charging overtime for inspection outside of an inspector’s core hours should be reevaluated and revamped. With a HACCP system in place, operations that do not conduct slaughter operations should not have to pay for overtime inspection for extra hours that do not meet the requirements for a full second shift approval. Since most small and very small plants are inspected on patrol assignment, and may only have an inspector in the plant for a couple of hours a day, they should be allowed the opportunity to grow their business without the economic burden of overtime charges.

In conclusion, we support the HACCP system as a tool to improve food safety and modernize the inspection system. However, small and very small plants have faced economic burdens that have exhausted resources and at times have been forced to close operations as a consequence.

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Capitol investments and technical expertise available to large establishments has made the transition to HACCP less of an economic hardship to these establishments than to small and very small plants.

We support any efforts from FSIS to help ease the economic burden of the HACCP Final Rule on small and very small establishments, so that this important sector of the industry can continue to be successful in their businesses.

Respectfully submitted,

Ann Rasor  
Director of Scientific and Regulatory Affairs  
North American Meat Processors Association