



Putting U.S. Meat
On the World's Table
Since 1976

Denver

Hong Kong

Brussels

Mexico City

Monterrey

Moscow

Seoul

Shanghai

Singapore

St. Petersburg

Taipei

Tokyo

World Headquarters:
Independence Plaza
1050 17th Street
Suite 2200
Denver CO 80265

303-623-MEAT (6328)
Fax 303-623-0297

May 28, 2008

Attn: Mr. Keith Payne
Independence Avenue, SW
Room 1175 South Building

10

2008-0011
2008-0011-10
Paul Clayton

Dr. Richard Raymond
Under Secretary for Food Safety
U.S. Department of Agriculture
227-E Jamie Whitten Building
Washington, DC 20250

Dear Under Secretary Raymond,

The U.S. Meat Export Federation (USMEF) appreciates the opportunity to provide comments on behalf of its membership from an international trade perspective. USMEF is a non-profit trade association working to create new opportunities and develop existing international markets for U.S. beef, pork, lamb and veal. Over 90 percent of U.S. red meat exports are from red meat companies represented by USMEF. USMEF provides market intelligence for international markets and addresses concerns or problems faced by its membership in these international markets. Though international trade of red meat products is increasingly important to the sustainability of the U.S. red meat industry, there has been a marked increase in the implementation of domestic requirements which significantly impede trade of U.S. red meat products. USMEF strongly requests USDA take international public opinion and its impact on trade into consideration prior to the development and implementation of domestic food laws and regulations. The impact of these changes is typically far reaching among international consumers and has a significant impact (positive or negative) on acceptance of U.S. red meat products abroad.

Food safety programs recently proposed by the U.S. Department of Agriculture, Food Safety Inspection Service (FSIS) are expected to negatively impact U.S. red meat exports: (1) Public listing of plants with >10% of product samples positive for *Salmonella*, the (2.a) inclusion of intact raw beef products in the *E. coli* O157:H7 adulteration policy and the (2.b) inclusion of non-O157 Shiga Toxin-Producing *E. coli* (STECs) as adulterants.

1. Docket FSIS-2006-0034; *Federal Register* Monday, January 28, 2008 Vol. 73, No. 38, pages 4767-4774 announced FSIS's plan to begin publishing plant names and establishment numbers on a publicly accessible website if a facility is in either category 2 or 3 of the FSIS "risk-based" *Salmonella* sampling program. This reporting step is expected to have a significant negative impact on the U.S. pork and beef industries; current farm level value of \$65 billion, and growing.

Russia and China, the U.S.'s fifth and sixth largest pork export markets in 2007 are two U.S. trade partners, among others, that impose non-science based zero tolerance requirements for *Salmonella* on raw imported meat products from the U.S. The proposed reporting program will provide these countries with a list of U.S. violators, supplementing these countries' zero tolerance programs. There is potential for this information to be used to conduct unfounded recalls, delist approved plants and increase plant specific testing requirements. Many countries without a zero tolerance requirement for *Salmonella* will view the list as USDA's way to communicate that U.S. meat is inconsistently safe, discouraging the import of U.S. red meat products over those of other countries who represent all products as equally safe.

USMEF supports the collaborative enhancement of the U.S. food safety system, but would prefer it not include a public posting mechanism.

2. USMEF is a member of the Beef Industry Food Safety Council (BIFSCo) and supports their position on the subjects discussed at the Public Hearing on April 9-10, 2008 on *E. coli*. In the hearing FSIS proposed to (a) expand the *E. coli* O157:H7 adulteration policy to include intact raw beef products and to (b) declare non-O157 STECs adulterants. From an international trade perspective, these changes would mislead consumers by incorrectly implying that cooked, intact beef products from the U.S. carry a significant food safety risk. They could also lead to foreign countries developing similar requirements, even if they do not intend to test for these bacteria in domestic products, which could function as non-tariff trade barriers to U.S. red meat products.

USMEF works closely with USDA and the United States Trade Representative (USTR) during SPS and Technical Barriers to Trade (TBT) negotiations. These requirements step away from the systemic and science-based approach that formed the foundation of all previous and current market access trade negotiations for red meat. Furthermore, it contradicts the trade position that there is no scientific basis for a zero tolerance of pathogens on raw, intact products.

The U.S. red meat industry is increasingly dependent on exports due to the weak dollar and high livestock production costs. These recent USDA initiatives, though well intended, will negatively impact U.S. red meat exports and place the U.S. industry at an economic disadvantage. International markets tend to be more prone to the distortion of factual information by media and consumer groups. They also tend to be more inflammatory in their responses. In our recent experiences with science based meat safety regulations, arguments based on errant facts about U.S. food safety policy are able to paralyze an entire government and subvert entire science-based policy decisions.

The U.S. beef industry is struggling to regain its position with global consumers as the safest in the world following the finding of bovine spongiform encephalopathy (BSE) in the U.S. and the recent Hallmark-Westland recall. This change will lead countries to believe there is reason to continue to doubt the safety of U.S. products, resulting in preference for beef produced in other countries with more consistent and science-based meat safety systems.

USMEF and its membership strongly support continuous improvement in global food safety; it is of paramount importance for all consumers in the world that food safety be applied judiciously and responsibly. Meanwhile, it is imperative food safety requirements be science based and compliant with international trade agreements. The World Trade Organization Agreement on the Application of Sanitary and Phytosanitary Measures (SPS) must be taken into consideration during the formation of all food safety requirements to verify requirements are protecting human life and health to the necessary extent but not trade limiting. USMEF is always available for consult and is pleased to work with USDA to determine impacts of domestic requirements on U.S. red meat exports.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Clayton", with a long horizontal flourish extending to the right.

Paul Clayton
Sr. Vice President, Export Services
USMEF