



Fighting for the U.S. Cattle Producer!

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April 19, 2010

The Honorable Tom Vilsack
Secretary of Agriculture
U.S. Department of Agriculture
1400 Independence Ave., S.W.
Washington, D.C. 20250

Sent via facsimile and U.S. Mail: 202-720-2166

Re: Serious Concerns Regarding FSIS' Demand for Increased Validation at Downstream Meat Processing Plants

Dear Secretary Vilsack:

R-CALF USA has closely monitored meat inspection developments related to agency mandates for increased microbial testing to validate the effectiveness of plants' Hazard Analysis Critical Control Points (HACCP) and related Plans at each individual plant. We are pleased the Food Safety and Inspection Service (FSIS) is admitting that substantial amounts of hazardous meat currently is shipped into commerce, in spite of the fact that the largest slaughter plants have now operated under HACCP for 12 years. We are dismayed, however, that the agency's increased validation demands are being focused primarily against the processing plants further downstream, the vast majority of which totally depend on meat purchased from upstream, source-slaughter providers.

Central to R-CALF USA's food safety beliefs is that corrective actions must be implemented at the source-slaughtering plant (origin) of contaminated meat, rather than at destination plants, which essentially are powerless over the sanitation conditions at their source-slaughter providers. We are greatly concerned the agency's increased focus will not only create budgetary concerns that will remove the majority of small plants from federal and state inspection, but also will simultaneously insulate the true source of contaminated meat from adequate agency oversight, virtually guaranteeing ongoing shipment of hazardous meat into commerce.

The fact that FSIS strongly recommends the testing of incoming product constitutes an agency admission that the large source-slaughter plants continue to ship large amounts of contaminated/adulterated meat into commerce. R-CALF USA believes the solution to this problem is to detect such meat at the slaughter plant of origin and require corrective actions at the source, not at the destination.

Current FSIS guidance will necessitate that plants essentially validate, via testing, not only its HACCP Plan, and all Pre-Requisite Plans, but also the multitude of specialty products,

which are the unique niche products that attract consumers to products emanating from small facilities. In stark contrast, large slaughter plants primarily produce carcasses, trimmings, and boxed beef, necessitating only three areas to validate, at most. Small plants, with substantially less sales revenues and that are dependant on the manufacture and distribution of specialty items, will be burdened with enormous increases in microbial testing expenditures, which their revenues cannot sustain. One trade association representing smaller plants, the American Association of Meat Processors, estimates the initial cost for the increased testing of ready-to-eat products by smaller plants at \$12,000 per product line, and subsequently \$3,600 per product line in future years.

R-CALF USA is concerned that small, inspected plants, which are vital to livestock producers across America, will quickly disappear, eliminating essential services needed by small, local producers. At the same time that President Obama and the U.S. Department of Agriculture (USDA) are advocating the "Know your Farmer, Know your Products" program, this agency mandate to increase microbial sampling will further separate consumers from producers because it will result in a lack of processing facilities required to process locally grown livestock. This policy will effectively undercut the stated goals of USDA and will result in an increased dependence on imported meat.

A central issue in this discussion is the determination regarding which entity is the appropriate entity to validate the efficacy of source-slaughter plants' HACCP and Pre-Requisite Programs. The agency's current mandate that downstream meat plants test incoming product not only admits that incoming product is contaminated/adulterated, but also shifts the burden of slaughter-plant sanitation problems downstream to the plants that merely are the destination of previously-contaminated meat. R-CALF USA suggests that the best way to improve public health and safe food imperatives is to detect and remove pathogens at the SOURCE, not at the DESTINATION.

Currently, HACCP Plans are validated via (1) scientific support for in-plant processes and critical control points, and (2) demonstrating that the safety plan actually works in the plant. R-CALF USA agrees that both components are necessary. We are concerned that the agency's current mandate places an inordinate focus on the second component, minimizing the adequacy of scientific support, which has proven to be historically effective in downstream plants, but woefully inadequate in the large source-slaughter plants.

R-CALF USA would be more willing to endorse this agency mandate for increased microbial testing if such testing would result in safer food. However, since the true origin of contamination with enteric pathogens continues to remain off the agency's enforcement radar, increased testing costs would produce no benefits for public health, while effectively eviscerating America of its small plants. By FSIS admission, the largest plants constitute only 7 percent of all federally inspected plants, but produce 90 percent of our meat. We suggest that 90 percent or more of agency mandated microbial testing must be focused at the SOURCE, not the DESTINATION of meat products.

R-CALF USA is concerned that while the agency's mandate for increased microbial testing is focused as close to the consumer as possible (at the downstream plants), such testing is

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also focused as far away as possible from the source-slaughter plants, which are the origins of enteric bacteria.

According to a study commissioned by the Foundation for Accountability in Regulatory Enforcement (FARE), 22 percent of small processing plants dropped federal inspection between 2000 and 2005, while 19 percent of small slaughter facilities also exited federal inspection. This agency mandate for increased testing will greatly exacerbate the departure of small plants from federal inspection, while providing little if any improvement in food safety.

Lastly, R-CALF USA is greatly concerned that FSIS firmly believes our current HACCP system is so ineffective that the agency perceives that greatly increased microbial testing must be implemented for validation purposes. Admittedly, FSIS-style HACCP is markedly different than the original Pillsbury-style HACCP.

As such, we recommend that FSIS consider a fundamental revamp, or a complete abandonment, of its style of HACCP for an alternative meat inspection protocol. Pillsbury-style HACCP does not require ongoing microbial testing, because their products are consistently safe and utilize kill steps. In stark contrast, FSIS-style HACCP has resulted in ongoing outbreaks and recurring recalls, which the agency uses as justification for increased microbial testing because HACCP plants ship such a high volume of hazardous raw meat and poultry into commerce bearing the official USDA Mark of Inspection.

Agency demands for increased testing are symptomatic of an underlying danger, namely the ineffectiveness of FSIS-style HACCP. R-CALF USA respectfully recommends a thorough overhaul of the agency's current HACCP methodology.

Thank you for your consideration of this important matter.

Sincerely,

A handwritten signature in cursive script that reads "R. M. Thornsberry" followed by a stylized monogram or initials.

R.M. Thornsberry, D.V.M.

President, R-CALF USA Board of Directors

Cc: Jerold R. Mande, Deputy Under Secretary for Food Safety
Alfred V. Almanza, Administrator, FSIS
State Departments of Agriculture
Senator Jon Tester