



June 27, 2012

Docket Clerk
U.S. Department of Agriculture
Food Safety and Inspection Service
Patriots Plaza 3
355 E. Street, SW
8-163A, Mailstop 3782
Washington, DC 20250-3700

Re: Docket No. FSIS-2011-0008; Compliance Guide for Residue Prevention and Agency Testing Policy for Residues

To Whom It May Concern:

Formed in 1906, the American Meat Institute (AMI) is the nation's oldest and largest trade association representing packers and processors of beef, pork, lamb, veal, turkey, and processed meat products. AMI members manufacture more than 90 percent of these products. Also, approximately 80 percent of AMI member companies are classified as small or very small according to Small Business Administration standards. AMI members continue to adopt food safety practices to produce meat products, which are safe, affordable, and available. The safety of the products AMI members produce is their top priority.

AMI appreciates the opportunity to comment on the *Federal Register* Notice, FSIS-2011-0008 (or the Notice), as well as the Compliance Guide for Residue Prevention - 2012 (compliance guide or the guide).

It is Important that the Food Safety and Inspection Service use the Terms “Residue Free,” “Residue Violators,” and “Prevention of Residues” in the Appropriate Context.

Terms such as residue free, residue violators, as well as prevention of residues are used interchangeably in the *Federal Register* Notice as well as the compliance guide. The summary of the Notice states, “FSIS is announcing the availability of a compliance guide for the prevention of violative residues in livestock slaughter establishments.” This is consistent with FSIS Notices and also the USDA Office of the Inspector General report of January 29, 2010. These reports and policies address these terms as residue violators or violations, not as prevention or elimination of residues. AMI believes changing the

terms to reflect violative residues rather than residue free or prevention of residues would make the Guide more accurate.

There are Alternative Approaches to Removing a Supplier from the Repeat Violator List.

The Notice requested comments regarding whether producers could be removed from the Residue Repeat Violator List (the List) after 12 months in certain circumstances. As stated in the Guide and FSIS Notices, producers and suppliers of livestock on the List will be subject to an intensified rate of residue sampling by FSIS. Since suppliers or producer can sell livestock to multiple federal establishments, a possible approach would be to consolidate residue test results from the supplier or producer and set an acceptance level of non-violative samples that would trigger removal from the List rather than use a hard 12 month time frame. This measure could be a combination of time as well as sample compliance. FSIS would need to be willing to consolidate data by the same producer/supplier and share with the industry in order to make this a workable option. AMI would be willing to discuss this option further at your convenience.

The Compliance Guide Should Include Model Certificates.

AMI, the National Meat Association, and the Livestock Marketing Association have worked together to create a market/dealer certification and direct purchase residue certificates. Referencing these certificates, possibly in the ‘confirm producer history’ section would be a valuable addition to the compliance guide. The certificates are attached as Appendices 1 and 2.

The *Federal Register* Notice entitled “Residue Control in a HACCP Environment” listed four practices available to slaughter establishments to avoid slaughtering animals that contain violative residues. The guide has added a fifth practice, notifying producers of violative animals. This new section provides that violative and non-violative levels of drug should be reported to the animal producers in writing. Taken literally, this practice would mean that all results of residue tests be supplied to the supplier of livestock. AMI suggests that the notification of non-violative results is unnecessary and that this recommended practice be removed from the Guide.

As previously stated, the use of the term “residue-free” (point two) does not reflect the scope of prevention of violative residues. In addition, AMI recommends replacing “residue free” with the phrase “livestock free from violative residues.”

Thank you for allowing our comments to be submitted and considered.

Sincerely,

A handwritten signature in black ink that reads "Scott J. Goltry". The signature is written in a cursive, flowing style.

Scott J. Goltry
Vice President
Technical Services

Market/Dealer Certification: Appendix 1

MARKET/DEALER CERTIFICATION

RESIDUE REPEAT VIOLATOR LIST
FOR USE BY LIVESTOCK MARKETS AND ESTABLISHMENTS

The undersigned certifies that it will check the most current USDA/FSIS Residue Repeat Violator List for Use by Livestock Markets and Establishments (The List) prior to each of its sales. The undersigned further certifies that it will not, to the best of its knowledge, sell any livestock for a consignor whose name is on The List without notifying potential buyers that the livestock being offered for sale have been consigned by a person whose name is on The List and providing the buyer with the back tag identification number(s) associated with such livestock. The undersigned will also require each consignor that offers livestock for sale to certify that neither the consignor nor the person(s) from whom the consignor purchased those livestock are on The List. This certification shall remain in effect until the undersigned delivers written notice to the buyer that it is being revoked.

Market Name:

Signature of Authorized Representative:

Address: _____ City _____ State _____
Zip _____

Business Phone Number:

Date: _____

Document date 5/5/11

RESIDUE CERTIFICATION
FOR DIRECT PURCHASE

The undersigned certifies that he/she will check the most current USDA/FSIS Residue Repeat Violator List (List) when livestock are delivered to Establishment _____. Any livestock delivered or sold by a person whose name is on the list at the time of delivery or sale shall be processed pursuant to Establishment _____ Chemical Residue Program. The undersigned further certifies that he/she will collect from each livestock supplier a certification that neither the livestock supplier nor the person(s) from whom the livestock supplier purchased those livestock are on the List.

Name:

Signature of Authorized Representative:

Address:

Business Phone
Number _____

Date: _____

Document 6/3/11