



United States Department of Agriculture

Food Safety and
Inspection Service

1400 Independence
Avenue, SW,
Washington, D.C.
20250

January 6, 2016

Mr. Scott Goltry
Vice President, Regulatory Affairs
North American Meat Institute
1150 Connecticut Avenue, NW
12th Floor
Washington, DC 20036

Dear Mr. Goltry:

Thank you for your November 9, 2015, letter asking the Food Safety and Inspection Service (FSIS) to clarify its position on the labeling of raw corned beef products under the final rule, *Descriptive Designation for Needle- or Blade-Tenderized (Mechanically Tenderized) Beef Products*.¹ The letter states that raw corned beef products are typically fully cooked before being consumed, and that most of these products are already labeled with cooking instructions. The letter also states that there have been no recalls associated with mechanically tenderized raw corned beef products since 1999.

FSIS recognizes that corned beef products are not usually consumed in a rare or medium state. Rather, they are customarily prepared at a cooking time and temperature combination that is sufficient to destroy pathogenic bacteria that could render the product unsafe.² Furthermore, the outbreaks identified in the final rule were associated with mechanically tenderized steaks and (uncured) roasts. Therefore, FSIS does not intend to enforce the requirements in 9 CFR 317.2(e)(3) for raw or partially cooked products labeled as “corned beef” that have been mechanically tenderized (including through injection with a solution) after the final rule becomes effective on May 17, 2016.

We have also received questions about whether this regulation applies to pumped beef bacon product. Again, because this product is customarily prepared in a manner that sufficiently destroys pathogenic bacteria, and because the final product is often cut in such a way that makes it very difficult to measure the end product temperature through use of a thermometer, as recommended in the required validated cooking instructions in the rule, FSIS does not intend to enforce the requirements in 9 CFR 317.2(e)(3) for raw or partially cooked beef bacon product that has been mechanically tenderized (including through injection with a solution) after the rule becomes effective.

¹ 80 FR 28153; May 18, 2015

² http://askfsis.custhelp.com/app/answers/detail/a_id/1218/kw/corned%20beef

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If the potential risk to public health were to change for either of these products (e.g., illnesses are attributed to consumption of the product), FSIS would reconsider its position on the matter. Thank you, again, for your valuable input as we continuously assess and improve the effectiveness of Agency policy.

Sincerely,



Daniel L. Engeljohn, Ph.D.
Assistant Administrator
Office of Policy and Program Development