

White, Ralene

From: Jared Hamilton [hamilton_jared@hotmail.com]
Sent: Tuesday, May 04, 2010 11:07 AM
To: Draft Validation Guide Comments

May 4, 2010

To whom it may concern:

In the very little time I have been involved in the meat industry, the single biggest thing I have learned is that there will never be a shortage of controversial issues to comment on. The topic of greatest importance today is microbial sampling for HACCP validation.

My quarrel with this topic is trying to understand the reason why? I don't know of any recent event that occurred that would merit this financially burdensome regulation. Since HACCP has been in place for many years now, and the scientific documentation (currently accepted as validation) exists to back-up the processes being used and in using these processes correctly, people aren't getting sick, why? Why do we now need to spend time and money, both of which are always in short supply, to fix something that apparently isn't broke?

The American Association of Meat Processors created a validation calculator for plant operators to use in order to estimate what this program would actually cost. For my very small, state inspected facility, I would suffer a cost of \$109,350.80 in the first year of testing and \$33,646.40 every year after. This kind of expense for my operation is not feasible.

Perhaps the focus needs to shift, from HACCP validation to process verification. My experience is that when something doesn't come out right, it is usually operator error. Therefore, the solution is not additional testing of the finished product to validate the process used, but instead actual inspection of the process to ensure that it is properly being implemented. This would not apply the financial and time consuming burden of excessive product and process testing on the plant owner, but instead use an already available resource, the inspector in charge.

Finally, I would like to add that I feel it is the regulatory agencies themselves that inadvertently create the adulterated product that we all fear. The constant changes in regulation continue to keep plant operators in the unknown. If practice makes perfect and perfect is what we all are striving to achieve; how can we get there when the practice is ever changing? Microbial sampling for HACCP validation is a redundant regulation and will only succeed in the extinction of more, or perhaps all, small and very small meat plants.

Sincerely,

Jared Hamilton
Wyoming Custom Meats, Inc. President

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CASE INFORMATION AND PRIVACY RELEASE FORM AUTHORIZATION

Dear Congressman Dan Boren:

I am requesting your assistance in resolving my difficulties with _____

HACCP Validation

Under the provisions of the Privacy Act of 1974, agencies are not allowed to release any information without your authorization. This release does not constitute a power of attorney.

NAME: Thompson Butcher Barn / Paul W Thompson

ADDRESS: 6878 W. 590

CITY/STATE/ZIP: Chouteau, OK 74337

PHONE(HOME): 918-476-5508

SOCIAL SECURITY NUMBER: 441-56-1385 CASE # _____

DATE OF BIRTH: 5-9-1954 FAX # 918-476-5582 EMAIL: _____

SUMMARY OF PROBLEM (INCLUDE ANY RELEVANT INFORMATION):

All plants are required to produce their products under a safety system called "HACCP". USDA/FSIS is about to enact a new series of additional requirements regarding the "validation" aspect of HACCP. This will require that each plant conducts extensive inplant microbiological testing. Small processors will be forced to hire outside laboratories to perform these studies, an expense which we, and others, cannot reasonably absorb and still remain a viable business. This redefinition of the validation requirements after 10 years of HACCP is forcing producers to prove that science remains science regardless of the location.

If release of information on your case to another party or your attorney is authorized, please specify.

I hereby request the assistance of the Office of Congressman Dan Boren in addressing the matter described above, and authorize Congressman Boren and his staff to receive any information that they may need in order to provide this assistance.

SIGNATURE: Paul W Thompson DATE: 4-28-10



FAX

U.S. Congressman Dan Boren

Representing Oklahoma's Second District

309 W. First St. • Claremore, OK 74017

Phone: 918-341-9336 • Fax: 918-342-4806

Mary.bower@mail.house.gov

DATE: 05/04/10

PAGES (excluding cover): 1

TO: Krysta Harden, Assistant Secretary for Congressional Relations
U.S. Department of Agriculture

FAX: 202-720-8077

PHONE: 202-720-7095

FROM:

Congressman Boren

Peggy McGehee

Mary Bower

COMMENTS:

RE: Paul W. Thompson, dba, Thompson Butcher Barn Social Security # 441-56-1385

Attached is privacy release and pertinent case information for Mr. Thompson. He is very concerned about the HACCP Validation process.

Please look into this situation and advise our office of the status of his inquiry.

Thank you in advance for your assistance in this matter.

Mary Bower

Rhodes, Suzette

From: Linda Coffey [lindac@ncat.org]
Sent: Wednesday, April 14, 2010 3:05 PM
To: Draft Validation Guide Comments
Subject: re: validating HAACP plans

To Whom It May Concern:

I am a farmer and a meat eater. I am a taxpayer and a voter. I am writing to object strongly to the proposed rules governing meat processing plants.

In rural areas, there used to be thriving trade within communities. The root of the wealth produced is from the land; crops and livestock raised by farmers and then processed and sold within the community, feeding the citizens and maintaining ties between farmer and processor and consumer. The money that changed hands would circulate many times and the community was stable, with most people employed and no one too dependent on the outside world.

Obviously, the food system and the economy has changed. One of the causes of that change is legislation that is to make us safer. Instead, it is forcing us into a system that is more and more consolidated and removed from local communities.

For example, in our region, the land is perfect for raising grazing animals such as sheep, goats, and cattle. The population is large and there is a need for meat. But when HAACP regulations came into use, many of our small processing plants closed their doors. We had a plant five miles from our farm; it was a family business and they were known for their good, clean work and excellent customer service and fair prices. As far as I ever heard (and bad news travels fast in a community!), there was never a complaint about the plant. They wrote HAACP plans and attempted to comply with the regulations; but when an inspector said they had to do expensive renovations to the plant or close their doors, they reluctantly closed their doors. And so did others; so the remaining plants are always very very busy, prices went up, it's more difficult to schedule animals for processing and therefore more difficult to sell meat that is locally raised and locally processed.

The plant we currently use to process our meat is also small and also a family business. They are courteous and while the work is not as good as our previous plant, they are only 20 miles away and we have learned to schedule several months ahead. But if that family is required to charge more for their services, to pay for all this additional testing and sampling, it will not be feasible for us to raise or our customers to purchase local meat. It won't be feasible for them to pay another salary for the person to do all the sampling, testing, and record-keeping required by the rules.

This rule would shut down all our local plants, make meat much more expensive, and therefore put American farmers out of business. Then we can import our meat. Will foreign plants be held to this standard in order to sell to the United States?

Is it wise to make our country dependent on foreign production for meat as well as for oil? Please, consider all the impacts, and be reasonable! Small, local plants that take pride in their work will do clean work. Meat that is properly handled and cooked is safe. Local food production is good for our people and our economy and our country. Please do not stifle free enterprise by instituting rules that are so difficult and expensive and unnecessary.

Thank you for listening.

Sincerely,
Linda Coffey, Prairie Grove, Arkansas

Rhodes, Suzette

From: Mark Pastore [mark@incanto.biz]
Sent: Friday, April 02, 2010 8:16 PM
To: Draft Validation Guide Comments
Subject: Comments on FSIS Draft Guidance document

Attn: Alfred Almanza, Administrator, Food Safety and Inspections Service, US Department of Agriculture

Dear Mr. Almanza

I am the co-owner of Boccalone Artisan Meats, a Very Small plant (est. 6034) in Oakland, California, producing less than 50,000 pounds of pork products per year. I am writing to comment on "DRAFT GUIDANCE: HACCP SYSTEMS VALIDATION", under consideration the USDA Food Safety and Inspections Service.

We have reviewed the draft document in full. We believe that compliance with the Draft Guidance will not result in a significant increase in the food safety of our products. Moreover, based on our analysis, we believe that full compliance with the proposed guidance will cost an amount equivalent to approximately 200% our business's existing pre-tax, pre-depreciation profits. Put another way, the additional resources required to implement increased product sampling and disposal, increased microbiological testing, and increased record-keeping will drive our small family-owned business squarely into a fiscal deficit. We are very concerned our business will not be able to survive this additional unfunded mandated cost to our small business.

We cannot help but be struck by the sense that the proposed guidelines are extremely regressive financially against small and very small plants. Unlike many large meat manufacturers, which have in-house scientists and laboratories, very small plants like ours must outsource all testing and seek outside scientific counsel. This means the increased validation and testing costs considered within this Guidance could in our case easily end up costing as much as 10-30% of a given product's annual revenue. At a large plant with national distribution, the same validation costs would likely represent less than 1% of that product's annual revenue. Small plants like ours are already at an inherent economic disadvantage due to economies of scale in purchasing, labor, batch size, equipment, etc.. The Draft Guidance under consideration would place us at a potentially insurmountable further competitive disadvantage in the marketplace.

Please understand that we fully support the big picture: like you and your colleagues at USDA FSIS, we want American consumers - which includes our own children - to enjoy safe, healthful food. We want our food system to become safer with each passing year. Frankly, that is in large part what caused us to start our small business three years ago, with the goal of providing our customers a high-quality, local, and safe alternative to mass-market, industrially-produced meats.

Further, if small processors like us were at the root of food safety issues in the United States, we would actually support the intention behind this Guidance document. If driving a small business like ours out of existence could, in principle, be a necessary step to achieving a greater good of providing more safety in the food system, that would make sense.

However, the facts and evidence support the opposite conclusion. The products produced at small and very small plants do not constitute even a proportional share of the meat safety issues found in the United States. Rather, the disproportionate share of public safety danger comes from industrially-produced and -distributed products, i.e., products made by large and very large producers.