



Association of Food and Drug Officials

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September 27, 2013

United States Department of Agriculture
Food Safety and Inspection Service

RE: Comments from the Association of Food and Drug Officials
Docket No. FSIS-2008-17
"Descriptive Designation for Needle-or Blade-Tenderized (Mechanically Tenderized)
Beef Products"

The Association of Food & Drug Officials [AFDO] is a national organization that represents state, local, and federal food, drug, and medical device safety regulatory officials. Within the food protection arena, AFDO is well known for promoting uniformity and cooperation among the regulatory community and has helped to foster numerous collaborative projects to advance these objectives. Additionally, AFDO has developed a host of model codes and guidance documents that state or local regulatory agencies can utilize in promulgating their own specific regulations or improving their field staff's inspection skills. Because of AFDO's strong allegiance to state and local food safety programs, we routinely intervene in matters we feel are important to government regulators and which can have an important impact on public health.

AFDO has also been active historically in promoting uniform food labeling practices. Food labeling becomes especially important when a food safety issue is involved and must be conveyed to consumers by both the food manufacturing and retail sectors. Due to the food safety implications, AFDO is pleased to provide USDA/FSIS our comments regarding the proposal to require the use of the descriptive designation "mechanically tenderized" on the labels of raw or partially cooked needle or blade tenderized beef products, including beef products injected with marinade or solution, unless such products are destined to be fully cooked at an official establishment. The importance of allergen labeling, for instance, should not only be a responsibility for the manufacturing sector but for the retail food sector as well. Likewise, the mandatory safe handling instructions on labeling of raw or partially cooked meat and poultry products (9 CFR 317.2[i] and 9 CFR 381.125[b]) and eggs that have not been treated to destroy viable *Salmonellae* can also be enforced at retail (FDA Food Code 3-201.11[F] and 3-201.11[G]).

To our knowledge, there is no dispute that mechanically tenderized beef products are non-intact products and need to be more fully cooked than intact beef products where potential pathogens are generally limited to the product's surface. In our view, failure to label these products properly and without validated cooking instructions is unwise from a public health perspective. As recently as 2010, the Conference for Food Protection (CFP), an organization of food safety professionals from the regulatory, food service, retail food store, food vending, and food manufacturing sectors, encouraged USDA to promulgate regulations requiring wholesale packers and processors of mechanically-tenderized beef cuts to label the products as such. CFP cited multi-state outbreaks that resulted from consumption of mechanically-tenderized beef cuts.

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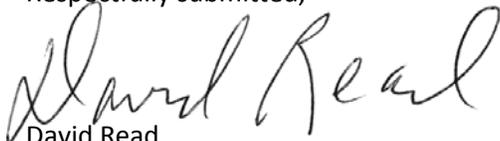
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Because current USDA regulations do not require that packages bear labeling that specifies whether beef cuts have been mechanically tenderized, food retailers, including restaurants and retail stores, and consumers do not have sufficient information to safely prepare these products.

AFDO, like CFP, is confident that mandatory labeling of mechanically-tenderized beef cuts will reduce the incidence of foodborne illness in the US, a goal we share with USDA. We strongly recommend USDA/FSIS to require mechanically tenderized beef products to be labeled with a descriptive designation that identifies them as mechanically tenderized and that the label include validated cooking instructions.

AFDO appreciates the opportunity to comment on this important matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David Read". The signature is written in a cursive, flowing style.

David Read
President