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Masters Leaves FSIS to Join Olsson, Frank & Weeda, P.C.

Agriculture Under Secretary for Food Safety Dr. Richard Raymond announced Friday that Food Safety and Inspection Service (FSIS) Administrator Dr. Barbara Masters will leave the Agency effective January 19, 2007 to become Senior Policy Analyst for SMA's legal counsel, the Washington, D.C. law firm of Olsson, Frank & Weeda, P.C. "Dr. Masters is well known for her service and her leadership in protecting public health by working to keep America's meat, poultry and egg products safe," said Raymond. "I have been fortunate to have the opportunity to work with Dr. Masters to usher in a new era of transparency and openness in federal regulation. During her tenure at FSIS, we worked together to establish a solid infrastructure of science-based policies and data analysis which have helped to reduce foodborne illness and product recalls. I congratulate Dr. Masters on her new career opportunity. I and FSIS will miss her high energy leadership." Masters was appointed administrator of the FSIS on August 1, 2005. She began her career with the FSIS in 1989 as a veterinary medical officer and has since held a variety of posts throughout the agency, both in the field and at headquarters. Since March 2004, she has been acting administrator and then administrator. "I cannot believe my good fortune to be able to work with her," said Dennis R. Johnson, Esq. of Olsson, Frank & Weeda, P.C. "I really think that our abilities (and she has more than I do) will be quite complimentary, so we will be able to achieve more for food safety together than we could have done individually." Raymond also announced the selection of David P. Goldman, MD, MPH to serve as acting FSIS Administrator until a permanent administrator is announced. A Captain in the Commissioned Corps of the U.S. Public Health Service, Dr. Goldman has been with FSIS since 2002, previously serving as Assistant Administrator of the Office of Public Health Science, and before that as Deputy Director and then Director of FSIS' Human Health Sciences Division. He earned his medical degree at the University of Virginia and his master's in public health at the University of Washington.

FSIS Issues Notice on Documentation Related to SRMs

Today, FSIS issued Notice 01-07, "Documentation Related to Specified Risk Materials (SRMs) and Other Regulations." This notice clarifies how inspection program personnel are to document regulatory noncompliance related to 9 CFR 310.22 for controlling specified risk materials, as well as other regulations. Inspection program personnel are to cite 9 CFR 310.22 in the Relevant Regulation section of every noncompliance report (NR) for an establishment that does not meet the regulatory requirements for controlling SRMs. In addition to selecting 9 CFR 310.22, inspection program personnel are to select all other regulations with which there has been noncompliance. Inspection program personnel are to describe the noncompliances in the Narrative Section, block 10, of the NR. The narrative should include a complete description of the SRM noncompliance, including the type of SRM and any other information relevant to the noncompliance. The narrative should also address each of the other regulations that inspection program personnel cite in the Relevant Regulations section on the NR screen. The statements in block 10 of the NR are to support completely and adequately the regulatory noncompliances cited. For every NR that inspection program personnel issue, it is important that they cite all relevant regulations. These citations provide data that are the basis for critical, risk-based decisions that the FSIS must regularly make when working to ensure that meat and poultry products are safe. Thus, it is not appropriate for inspection program personnel to cite only one regulation if other regulations are also violated by the noncompliance that is the subject of the NR.

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USDA to Expand Imports from BSE Minimal-risk Countries

Last Thursday the USDA's Animal and Plant Health Inspection Service (APHIS) announced a proposal to expand the list of allowable imports from countries recognized as presenting a minimal risk of introducing bovine spongiform encephalopathy (BSE) into the United States. Currently, Canada is the only minimal-risk country designated by the United States. "This proposal would continue to protect against BSE in the United States while taking the next step forward in our efforts to implement science-based trade relations with countries that have appropriate safeguards in place to prevent BSE," said Agriculture Secretary Mike Johanns. "We previously recognized Canada's comprehensive set of safeguards and we have now completed a risk assessment confirming that additional animals and products can be safely traded. Our approach is consistent with science-based international guidelines." The proposal expands upon a rule published by APHIS in January 2005 that allowed the importation of certain live ruminants and ruminant products, including cattle under 30 months of age for delivery to a slaughterhouse or feedlot, from countries recognized as minimal-risk. In the proposed rule, APHIS would allow the importation of:

- Live cattle and other bovines for any use born on or after, March 1, 1999, the date determined by APHIS to be the date of effective enforcement of the ruminant-to-ruminant feed ban in Canada;
- Blood and blood products derived from bovines, collected under certain conditions; and
- Casings and part of the small intestine derived from bovines.

Meat and meat products from animals of any age, with specified risk materials removed, were addressed in the January 2005 final rule. In March 2005, APHIS published a notice of a delay of applicability of certain provisions of that rule. This delay affected only meat and meat products from animals 30 months of age or older. If the proposed rule is made final, it would be consistent to lift the delay and also allow the importation of these products. As part of the proposal, APHIS conducted a thorough risk assessment following guidelines put forth by the World Organization for Animal Health, or OIE, and found that the risk associated with these commodities is minimal. This assessment evaluated the entire risk pathway, including mitigations in place both in Canada and the United States. The assessment included evaluating the likelihood of introduction of BSE via imports, the likelihood of animal exposure if this were to occur and the subsequent consequences. All of these were combined to give the overall minimal risk estimation. It is important to note that BSE transmission is prevented in bovines by a series of safeguards, including; slaughter controls and dead animal disposal, rendering inactivation, feed manufacturing and use controls, and biologic limitations to susceptibility. These layers of protection work together to prevent spread of the disease. In the U.S., human health is protected by a system of interlocking safeguards that ensure the safety of U.S. beef. The most important of these safeguards is the ban on specified risk materials from the food supply and the Food and Drug Administration's ruminant-to-ruminant feed ban. Canada has similar safeguards in place. The risk assessment concluded that for all the commodities considered under the current proposal, the risk of BSE infectivity is minimal and the disease will not become established in the United States. The proposed rule will be published in the Jan. 9, 2007 *Federal Register* and is available on the APHIS website at www.aphis.usda.gov. APHIS invites comments on this proposed rule. Consideration will be given to comments received on or before March 12, 2007.

FSIS Announces Regulatory Education Sessions for Small, Very Small Plants

As part of the initiative to enhance outreach to assist small and very small plants outlined in the FSIS strategic implementation plan, FSIS will hold regulatory education sessions on January 24 and 31 for the owners and operators of small and very small establishments in California, Virginia and Wyoming. The sessions will include a walk-through of a variety of topics, which may include HACCP, sanitation performance standards, sanitation SOPs, rules of practice, and food defense requirements. The agency has moved forward with plans to expand the regulatory education sessions and bring industry and inspection personnel together to promote a uniform understanding of the regulations. These sessions will be held at the following locations:

Wednesday, January 24 from 5-7 PM, at the Embassy Suites Hotel - Covina, 1211 E. Garvey Street, Covina, CA;
Wednesday, January 24 from 6:30 to 8:30 PM, at the Doubletree Charlottesville, 990 Hilton Heights Road, Charlottesville, VA.; and

Wednesday, January 31 from 6:30 to 8:30 PM, at the High Plains Power, 230 West Main, Riverton, WY.

Additional sessions are scheduled for Cheyenne, WY, Albuquerque, NM, and Madison, WI in February and Columbia, SC in March. To register by phone, call 800-336-3747. Online registration forms and information about upcoming sessions can be found at www.fsis.usda.gov/News_&_Events/Outreach_Sessions_SVS_Plants/index.asp.

FSIS Announces Upcoming Directive and Notices

FSIS publishes directives and notices to enable the agency to carry out its mission of protecting public health. Within the next month, FSIS expects to issue the following directive and notices:

- Directive 12,600.1 Rev. 1, Amend. 1, "Voluntary Reimbursable Inspection Services." This change transmittal is being issued to address questions the agency has received related to reimbursable overtime inspection.

Notices (*Numbers are assigned as notices are issued.*)

- Use of Results from Non-FSIS Laboratories. This notice describes the decision-making process FSIS uses when determining whether it is appropriate to rely on results from a non-FSIS laboratory.

- Importation of Canadian Cattle, Sheep, and Goats into the United States. This notice provides information to FSIS personnel about the receipt, slaughter and inspection of cattle, sheep and goats imported from Canada. It also outlines the regulatory requirements for the importation of certain Canadian ruminants, which began July 15, 2005.

Briefly . . .

USDA to Hold NPIP General Conference Committee Meeting: The USDA's Animal and Plant Health Inspection Service (APHIS) will hold a meeting of the General Conference Committee of the National Poultry Improvement Plan (NPIP) on January 24, 2007, from 1 PM - 5 PM at the Georgia World Congress Center, 285 Andrew Young International Boulevard, N.W., Atlanta, GA. The General Conference Committee serves as the liaison between the poultry industry and USDA in matters pertaining to poultry health. In addition, the committee assists USDA in planning, organizing and conducting the NPIP Biennial Conference. Topics for discussion at the upcoming meeting include: H5/H7 low pathogenic avian influenza program for commercial layers, broilers and turkeys; compartmentalization of notifiable avian influenza free zones; national animal identification program for poultry; and cleaning, disinfection and bird disposal costs for commercial poultry flocks. The meeting will be open to the public.

Bush Signs Emergency Declaration for Blizzard-affected States: President Bush signed emergency declarations allowing federal aid to help Colorado, Nebraska and Kansas recover from recent blizzards that shut down highways, stranded livestock, and knocked out power to tens of thousands of homes. However, Colorado's request for economic relief for ranchers at risk of losing cattle because of the storms remains under review, said FEMA congressional affairs specialist Thomas Glen. Colorado Agriculture Commissioner Don Ament said he expects the recent storms could kill at least 40,000 head of livestock in southeastern Colorado, an area home to over 300,000 farm animals. Meanwhile, agriculture officials across the region are trying to determine how they will deal with the carcasses of thousands of livestock that were possibly killed in the blizzards or starved afterward. In a massive effort to save stranded rangeland cattle, the Colorado National Guard conducted a three-day airlift that dropped about 3,000 hay bales to rangeland herds stranded by drifts and worked to open frozen water sources. While those efforts may have saved some livestock, the survivors still face the threat of fatal lung infections related to the stress of the storm and dehydration. In Washington, Senator Wayne Allard (R-CO) and Representative Marilyn Musgrave (R-CO) on Friday introduced bills to help speed financial aid to ranchers who have lost livestock in Colorado, Nebraska, Kansas, New Mexico and Oklahoma.

Officials Investigate Texas Bird Deaths: Austin, Texas police shut down 10 blocks of businesses in the heart of downtown today after dozens of birds were found dead in the streets, but officials said preliminary tests showed no dangerous chemicals in the air. As many as 60 dead pigeons, sparrows and grackles were found overnight along Congress Avenue, a main route through downtown. "We do not feel there is a threat to the public health," said Adolfo Valadez, the medical director for Travis County Health and Human Services. Preliminary air-quality tests showed no dangerous chemicals and officials had no credible information to suggest any imminent threat to the city. At least one bird carcass was being tested locally for other possible causes, and other carcasses were shipped to the Centers for Disease Control and Prevention (CDC) and Texas A&M University. Valadez said the tests on the dead birds would likely take several days and look for signs of poisoning or viral infections, though he said officials do not think bird flu is involved. The street closure stretched from just outside the Capitol to a section of the Colorado River known as Town Lake.

SMA Announces Email Changes: Please note that our SMA email addresses have changed. Effective immediately, the new general email address for the Southwest Meat Association is info@southwestmeat.org. To email Phyllis directly regarding administrative or newsletter issues, send messages to phyllis@southwestmeat.org. Please update your address books accordingly.