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FSIS Publishes Notice on Mandatory COOL

Last week USDA's FSIS published Notice 67-08, "Country of Origin Labeling – Interim final Rule." This notice provides inspection program personnel with information regarding the Agricultural Marketing Service's (AMS) Country of Origin Labeling (COOL) interim final rule and the conforming FSIS interim final rule. Inspection program personnel are not to do any verification activity under 04B04 to assess whether the label statements made under the COOL rules are truthful and not misleading. Inspection program personnel are not to take any action to enforce the FSIS interim final rule until further notice. During the next six months, until April 1, 2009, FSIS will defer to the AMS program of outreach and education to ensure that there is compliance with these rules. The AMS interim final rule on COOL was effective September 30, 2008. On August 28, 2008, FSIS published an interim final rule conforming its regulations to the AMS interim final regulations on COOL. The FSIS rule was also effective on September 30. AMS has posted a summary of its regulation at: www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELPRDC5070925 and has also posted Q&As regarding COOL at: www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELPRDC5071922. FSIS amended its regulations to provide that the labels of covered commodities that comply with the COOL regulations are generically approved. Voluntary country of origin labeling on non-covered commodities, e.g., beef jerky, still need to be submitted to FSIS for prior label approval. The FSIS interim final rule is available at: www.fsis.usda.gov/Frame/FrameRedirect.asp?main=http://www.fsis.usda.gov/OPPDE/rdad/FRPubs/2008-0027.htm. AMS is responsible for enforcing its COOL regulation. The inclusion of COOL information on labels at official establishments is voluntary; however, COOL statements on covered commodities are required at retail stores. The AMS COOL regulations provide a number of options for establishments to communicate COOL information to retailers. COOL does not apply to covered commodities produced or packaged before September 30, 2008. Companies do not need to submit temporary approvals for labeling that does not include COOL. During the six month period following the effective date of the regulation, AMS will conduct an industry education and outreach program concerning the provisions and requirements of the rule. This AMS plan for outreach and education should significantly aid the industry in achieving compliance with the requirements of this rule. FSIS will defer to the AMS program during this six month period. FSIS is working closely with AMS regarding issues surrounding COOL and will be posting additional information on its website. Other labeling questions should be submitted through **AskFSIS** or by calling 800-233-3935.

FDA Awards Grants to Further Food, Feed Safety

Last Tuesday the U.S. Food and Drug Administration announced the awarding of \$5.2 million in 17 grants to enhance food and feed safety. These grants fund major cooperative agreements in four major areas to various state and local regulatory agencies. "These cooperative agreements support and enhance local food protection efforts consistent with our Food Protection Plan," said Michael Chappell, the FDA's acting associate commissioner for regulatory affairs. "The grants represent an important step in the FDA's continued efforts to integrate and improve the effectiveness of food safety systems at the federal, state and local levels." Grants were allocated for cooperative agreements in various states for: the Ruminant Feed Ban Support Program, Food Safety and Security Monitoring, Innovative Food Defense, and the first-ever Rapid Response Team (RRT). For more information, access the press release at www.fda.gov/bbs/topics/NEWS/2008/NEW01894.html.

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USDA Appoints Lamb Board

Last week Agriculture Secretary Ed Schafer announced five appointments to the 2009 Lamb Promotion, Research and Information Board. Appointees will serve 3-year terms. The Lamb Board was developed to strengthen the position of and to develop and expand the markets for ovine animals and ovine products. Newly appointed board members are: Leo J. Tammi, Mount Sidney, VA, representing producers; C. Patricia Tirrell, Charlotte, MI, representing feeders and Edward M. Allaway, Tinley Park, IL representing first handlers. Reappointed board members are: David J. Trotter, Marysville, IN, representing producers and Laurie K. Hubbard, Bellefonte, PA, representing seedstock producers. The 13-member board is composed of six producers, three feeders, one seedstock producer and three first-handlers. The Secretary of Agriculture appoints approximately one-third of all board members each year. Established under the Commodity Promotion, Research and Information Act of 1996 and the Lamb Promotion, Research and Information Order, the board is financed by a mandatory assessment of 1/2 cent per pound on ovine animals of any age, sold by producers, feeders and exporters. Also, an assessment of thirty cents per head must be paid by first-handlers. Assessments began on July 1, 2002. USDA's Agricultural Marketing Service oversees operations of the board.

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**Does Your HACCP Plan Need An Update? Are
 You Ready for an FSIS EIAO Review?**
 Register for “Beyond Basics: HACCP Plan Improvement
 Workshop for Raw and Cooked Product Operations,” hosted
 by SMA, NMA, and the TAMU Dept. of Animal Science, **November
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 This workshop will provide a review and evaluation of your company’s
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Briefly . . .

Butterball Opens New Headquarters: Thanksgiving came early for the town of Garner, NC last week with a celebration commemorating the grand opening of Butterball LLC’s new headquarters building. Butterball, the largest producer of turkey products in the U.S. hosted a party at its new 46,000-square-foot building at One Butterball Lane, featuring remarks from Butterball CEO Keith Shoemaker, North Carolina Commissioner of Agriculture Steve Troxler and Garner Mayor Ronnie Williams. The company also offered free public tours of the facility and samples of specially crafted turkey items. Butterball already has moved about 60 jobs from its former headquarters in Duplin County, where the company also operates its largest production facility. (*Triangle Business Journal, 9/29/08*)

FSIS Posts Flood Brochure: FSIS recently posted a new brochure titled Flooding: A Checklist for Small and Very Small Meat, Poultry, and Egg Processing Plants to the Agency’s website. This brochure is designed to help small and very small plants prepare for, respond to, and recover from flooding, listing action items in the case of an emergency. The brochure is currently featured on the small & very small plants home page on FSIS’ website at www.fsis.usda.gov/Small_Very_Small_Plants/index.asp.

DeLauro Proposes Multi-faceted Food Safety Bill: U. S. Representative Rosa DeLauro (D-CT) introduced legislation to create a Food Safety Administration within the U.S. Food and Drug Administration, mandate traceability and create new food safety oversight throughout the supply chain. DeLauro introduced the bill, the Food Safety Modernization Act, on September 26, the same day the U.S. Government Accountability Office issued a report critical of the FDA for its oversight of produce safety. However, most industry observers don’t expect any action on food safety legislation until next year, when a new Congress and White House administration are in place. (*Tom Karst, ThePacker.com, 10/3/08*)

Salmonella Illnesses Reported in 12 States: Once again, the government is urging consumers to thoroughly cook frozen chicken dinners after 32 people in 12 states were sickened by *Salmonella*. The health warning by USDA’s FSIS cited frozen dishes in which the chicken is raw, but breaded or pre-browned, including “chicken cordon bleu,” “chicken Kiev,” or chicken breasts stuffed with cheese, vegetables or other items. Apparently, many of the people who became ill did not follow the package’s cooking instructions and microwaved the chicken dishes even though the instructions did not provide for it. Microwaving didn’t heat the meals enough to kill the *Salmonella*. The department stressed that chicken products should be cooked to a minimum internal temperature of 165° Fahrenheit.