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FSIS, AMS Clarify New Export Verification Requirements

Last week the Food Safety and Inspection Service (FSIS) and the Agriculture Marketing Service (AMS) held a conference call for Export Verification Program participants to review questions regarding new requirements such as the second signature or "Statement of Verification" (SOV) requirement, which is effective today, as well as other aspects of the AMS Export Verification (EV) program. FSIS Office of Field Operation's (OFO) Assistant Administrator Dr. Ken Peterson explained that the SOV is required for all exports from establishments with AMS EV programs unless a particular country opts out of this requirement. At this time, Mexico and Canada have "opted out," meaning the SOV from AMS is not needed, although other EV program requirements would still need to be met. Peterson said that FSIS expects three levels of inspection of product to be exported as explained in FSIS Directive 9040.1, Revision 3 "Re-inspection of Product Intended for Export:"

- Product produced for export at an official establishment with FSIS inspector oversight would require very little re-inspection as "ongoing knowledge of product."
- Company with approval to pre-stamp the boxes would need re-inspection to the extent necessary to determine that only sound boxes were stamped.
- Non-official establishment with no pre-stamping program would require that boxes of product from each establishment that has contributed to the shipment be re-inspected.

Peterson also outlined some requirements for export forms. While the Agencies recognize there were inconsistencies prior to January 2006, it is now expected that establishments will "consistently meet" all requirements. If an establishment continues to have regulatory issues and errors, FSIS will look at whether it should continue to perform an export verification task. Both FSIS and AMS intend to post export-related Q&A's on their websites in the next several weeks. AMS currently has a three-page document available on its website which provides a list of the additional requirements for EV programs. This may be viewed at: www.ams.usda.gov/lsg/arc/EVAddReq.pdf. In addition, FSIS has also posted FSIS-6005 Export Verification Training on its website to provide current Agency policy and summaries of its new and revised Directives and Notices related to export. The training provides industry with an overview of how FSIS inspection program personnel have been trained to verify that an establishment's meat and/or poultry products are eligible for export to a specific country. Links are provided to all FSIS Directives and Notices pertinent to export with most also including a link to a one-page summary of the respective Directive or Notice. The FSIS EV training may be viewed at: www.fsis.usda.gov/FSIS_Employees/Export_Verification/index.asp.

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FSIS Proposes Rule on Net Weight for Meat, Poultry Products

FSIS has issued a proposed rule to amend the meat and poultry regulations to:

1. reference the revised version of the National Institute of Standards and Technology (NIST) Handbook 133; and
2. consolidate the separate net weight regulations for meat and poultry into a new Code of Federal Regulations (CFR) part applicable to both.

The NIST Handbook 133 contains the standards used to determine the reasonable variations allowable for the declared net weight statements on labels of immediate containers of meat and poultry products. These standards in the revised version "remain substantively unchanged" from those in the current handbook. Consolidation of the regulations would move the provisions in 317.18 through 317.22 and those in 381.121(a) through 381.121(e) to the new part 442. Comments on the proposed rule are due by May 30, 2006. The proposed rule may be viewed at: www.fsis.usda.gov/OPPDE/rdad/FRPubs/04-041P.pdf.

FSIS Revises Notice Certifying Products for Export Verification

On Friday, FSIS issued Notice 19-06, "Revised Notice for Certifying Products Under Export Verification (EV) Programs. This Notice is effective today, and cancels Notice 09-06, "Certifying Products Under Export Verification (EV) Programs" and Notice 16-06, "Delay of Implementation of Instructions Certifying Products Under Export Verification (EV) Programs." The major changes in this revised Notice is that it: applies to any product exported under an EV program - not just beef products; the letter from the Agricultural Marketing Service (AMS) confirming EV requirements have been met does not apply to EV programs for Mexico or Canada but goes into effect on April 3rd for all other exported product produced under an EV program; and flow charts that relate to the sections on plant approval, verification procedures for EV programs and verification procedures for exported product under EV programs have been added. Otherwise, this Notice only changes wording in several of the steps and requires some additional documented notification between AMS and FSIS with regards to FSIS inspector training and its completion. The revised Notice may be viewed at: www.fsis.usda.gov/OPPDE/rdad/FSISNotices/09-06.pdf. For a complete review of the other requirements in this revised Notice by legal counsel Olsson, Frank, and Weeda, please email Phyllis at sma@tca.net.

Johanns Addresses Cattlemen In Washington D.C.

U.S. Agriculture Secretary Mike Johanns addressed members of the National Cattlemen's Beef Association (NCBA) last week on several issues critical to the beef industry during the NCBA Spring Legislative Conference. Johanns provided an update on the recent case of BSE that was confirmed March 13, and cited a recent report by the Food and Agriculture Organization of the United Nations that found BSE cases are declining worldwide at a very rapid rate. These results are proving the effectiveness of safeguards adopted in the United States many years ago, but Johanns acknowledged the BSE case has caused concern with some key trading partners such as South Korea, which had soon planned to reopen its market to U.S. beef. Johanns said it is USDA's objective to not only reopen the South Korean market to boneless beef soon, but also to bone-in products that have historically comprised much of the beef exported to that nation. With regard to Japan, which reopened its market to U.S. beef in December 2005 but closed it again in January, Johanns said a meeting earlier this week with Japanese officials left him somewhat encouraged. Johanns added that the difficulty incurred when tracing the animal's origin and history has underscored the need for a national animal identification system. "It is critical that the U.S., like other nations, have this in their trade arsenal," he said. "Australia is aggressively marketing traceability to gain an advantage. Competitors are out there saying, 'We've got I.D. They don't.'" Johanns said it is still USDA's goal to have full participation in a national identification system by 2009, but he emphasized that today the system remains voluntary, and he shares NCBA's desire to achieve participation voluntarily, rather than by government mandate. The group was also addressed by USDA Under Secretary for Farm and Foreign Agricultural Services J.B. Penn and Chief Economist Keith Collins. Penn provided a global outlook of the progress made in restoring U.S. beef exports, reporting that Mexico is now reopened to almost all U.S. beef products and expressing optimism about Russia, once the seventh-ranked market for U.S. beef and the top market for U.S. exports of beef liver. Collins provided a forecast of market conditions in 2006, saying USDA expects a fairly strong year for the livestock industry. Domestic beef demand "remains robust," with beef production in January and February up 5% from the same period in 2005. (NCBA News, 3/30/06)

Briefly . . .

FSIS Issues Notice on Revised Export Requirements for Mexico for Poultry: FSIS issued Notice 18-06 on March 30, titled, "Revised Export Requirements for Mexico for Fresh/Frozen Poultry." The notice informs inspection program personnel that Mexico will require fresh/frozen poultry that comes from flocks or farms from which 59 serological samples have been taken and tested negative for avian influenza by using an ELISA test to be registered in the National Poultry Improvement Plan. The flock and/or farm of origin should also be registered in the National Poultry Improvement Plan. This notice, which is effective on April 1, is available on FSIS' website at www.fsis.usda.gov/regulations_&_policies/Notice_18-06/index.asp.

NACMCF Offers Guidelines for Safe Cooking Poultry: The National Advisory Committee on Microbiological Criteria for Foods (NACMCF) was asked to provide advice on developing guidelines for consumers for the safe cooking of poultry products. Questions were generated in response to foodborne illnesses from *Salmonella* related to the consumption of processed chicken products that appeared to be ready-to-eat (RTE), but contained poultry that was not ready-to-eat (NRTE). NACMCF has "developed a document to address the questions posed to the Committee by the United States Department of Agriculture (USDA) Food Safety and Inspection Service (FSIS). In so doing, the Committee will provide guidelines to consumers for the preparation of poultry products to ensure that they are microbiologically safe. The document also will furnish information to food processors¹ on product labeling that clearly states if the product is RTE or NRTE and provide validated cooking instructions that minimize consumer confusion." The document is available at : www.fsis.usda.gov/PDF/NACMCF_Report_Safe_Cooking_Poultry_032406.pdf.

AMS Proposes Fee Hike: The Agricultural Marketing Service (AMS) has proposed increasing the hourly fees charged for voluntary Federal meat grading and certification services performed by the Meat Grading and Certification Branch. The increased hourly rates are: base hours for commitment applicants from \$55 to \$61; base hours for non-commitment applicants from \$64 to \$71; premium hours for all applicants from \$70 to \$78; and holiday hours for all applicants from \$110 to \$122. A commitment applicant agrees to pay for 40 hours per week, excluding federal legal holidays, on a yearly basis. A non-commitment applicant plays for service as needed. Comments must be received on or before May 30, and can be emailed to Larry Meadows at Larry.Meadows@usda.gov. Comments should reference docket number LS-05-06 and note it regards *Federal Register* Volume 71, Number 60, pages 15631-15633.

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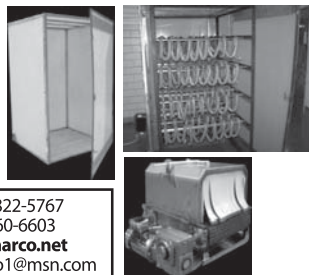
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