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FSIS Issues Notice on Ingredients of Public Health Concern

Today the Food Safety and Inspection Service (FSIS) will publish a Notice in the *Federal Register* to inform establishments that produce multi-ingredient products of the need to consider, as part of their next annual HACCP reassessment, proper control of ingredients of potential health concern. Comments on the Notice may be submitted to the agency until July 7, 2006. As you know, last July the agency issued FSIS Notice 45-05 to provide inspection program personnel with instructions for verifying that establishments have the appropriate process controls in place for ingredients that are of public health concern. FSIS Notice 45-05 instructed inspection personnel to review establishments' flow charts and hazard analyses to ensure that establishments have incorporated procedures into their food safety systems for properly formulating products, applying the appropriate label, and accurately labeling the product to fully disclose the use of all ingredients, particularly those that may cause adverse reactions. Although the main purpose of Notice 45-05 was to ensure intentionally added ingredients were properly labeled, the agency indicated in a follow-up Question and Answer document that establishments should also consider cross-contamination issues. Today's Notice is intended to remind establishments of the importance of reviewing their processes to ensure that they include mechanisms to control the use of all ingredients, particularly those ingredients that contain protein such as those identified in the Food Allergen Labeling and Consumer Protection Act (FALCPA) (i.e., milk, eggs, fish, Crustacean shellfish, tree nuts, peanuts, wheat and soybeans). The Notice instructs establishments to evaluate existing controls and determine whether additional controls are necessary as part of their next annual HACCP reassessment. For example, an establishment should ensure that "the ingredients to be used in the product to be produced, and only those ingredients, are available at the time of production; that the list of these ingredients matches the ingredient list on the label that is to be applied to the product; and that records are produced and maintained to verify that the proper ingredients were used." Inspection program personnel will be instructed to verify that these reassessments have been completed. Similar to FSIS Notice 45-05, today's Notice will focus more on control of ingredients that are intentionally added to products as opposed to unintentional ingredients, e.g., through cross contamination.

FDA Issues Guidance on Labeling Products with Lecithin

The Food and Drug Administration (FDA) has issued a guidance document entitled, "Guidance on the Labeling of Certain Uses of Lecithin Derived from Soy Under Section 403(w) of the Federal Food, Drug, and Cosmetic Act." The guidance is a final guidance document and is effective immediately, but comments on the guidance may be submitted at any time. FDA will consider the exercise of enforcement discretion, on a time limited basis, for food products labeled on or after January 1, 2006, for which lecithin derived from soy is used solely as a component of a release agent¹ where the label for such food does not declare the presence of the lecithin consistent with section 403(w) of the Federal Food, Drug, and Cosmetic Act (FFDCA). The guidance document sets forth four specific factors that must be present in order for FDA to exercise enforcement discretion. The guidance document encourages lecithin producers to reduce, to the extent possible, the level of protein in their soy lecithin products. It also encourages food manufacturers to reduce, to the extent possible, the level of soy lecithin in finished foods. For a detailed summary of this guidance document by SMA's legal counsel, Olsson, Frank, and Weeda, P.C., email Phyllis at sma@tca.net.

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Free Meat Export Readiness Training Offered

The Texas Beef Council, Texas A&M University and Texas Department of Agriculture are working together to develop a series of educational Meat Export Readiness Training (MERT) sessions. The sessions will serve to improve the knowledge of Texas beef processors on the beef exporting procedures and other trade promotion programs in Texas. Session topics will cover the basic principles needed to become export ready, including the preparation of an international marketing plan, status and evaluation of potential markets, logistics/ shipping and forwarding, pricing strategies, payment alternatives, promotion and advertising, and operating in other cultures. Sessions will also cover new information on food safety, how to apply for federal and state assistance programs through the Texas Department of Agriculture, insight from current exporters and much more. Your company is invited to send a representative to participate in the MERT sessions. The groups have currently planned a series of three sessions; the first will be May 16, 2006 in Round Rock, TX, just north of Austin. The May 16th session is scheduled from 10am-4pm and lunch will be provided. The dates and locations of the second and third sessions will be scheduled in coordination with the participants. Space in the program is limited and we encourage you to respond quickly to reserve your spot. There is no charge for participation in the sessions; however, participants will be responsible for their own travel expenses. If interested, please contact Erin Worrell, Manager of Beef Information & Outreach, at the Texas Beef Council at 800-846-4113.

Insurance Survey Underway

Thank you for responding to SMA's recent Insurance Survey, conducted by Independent Insurance Group. The response to date is very positive. If you did not receive the Insurance Survey, please contact MaryEllen Wilmot at her toll free telephone number 888-258-1938 or email her at maryellenw@indinsgrp.com. Deadline for response is May 30th. If you have not yet responded to the survey, please do it today!

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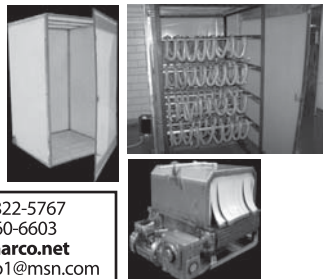
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For more information, contact Richard Garcia at 817-624-1136.

Briefly . . .

NACMPI to Hold Public Meeting: The National Advisory Committee on Meat and Poultry Inspection will hold a public meeting on May 23-24, to discuss issues related to building a more robust risk-based inspection system. SMA Executive Director Dr. Joe Harris serves on the committee. Subcommittees will hold open meetings on May 23, from 3 - 6 PM and the full committee will hold a public meeting on both days, from 8:30 AM to 2 PM. All committee meetings will be held in the conference room at the south end of the cafeteria located in the USDA South Building, 1400 Independence Avenue, SW, Washington, D.C. For further information about the public meeting, contact Robert Tynan at 202-690-6522, or by email at robert.tynan@fsis.usda.gov.

FSIS Extends Comment Period on Proposed Rule on List of Retail Consignees: FSIS has extended the comment period on the proposed rule on the availability of lists of retail consignees during meat or poultry product recalls. FSIS held a public meeting on April 24 to solicit comments on its proposal to make available to the public lists of retail consignees of meat and poultry products that have voluntarily been recalled by a federally inspected meat or poultry establishment if product has been distributed to the retail level. The agency is accepting comments on the proposed rule until June 11. Comments may be submitted through the Federal eRulemaking Portal at www.regulations.gov or by email at FSIS.RegulationsComments@usda.gov. A transcript of the public meeting is available on FSIS' website at www.fsis.usda.gov/PDF/04-006P_Transcript.pdf.

IKE Preliminary Scenarios Available Online: FSIS has made two preliminary Interactive Knowledge Exchange (IKE) Scenarios available for comment through May 12. Scenario 05D-06, Condensation Over a Kettle Cook Process, provides inspection program personnel with a thought process for determining noncompliance when condensation occurs in an official establishment. Scenario 06D-06, Extended Cleanup, provides guidance to FSIS personnel and industry regarding alternative/extended cleaning of equipment and facilities. The scenarios can be viewed on FSIS' website at www.fsis.usda.gov/FSIS_Employees/IKE_Comment/index.asp. If you have questions or comments regarding these preliminary IKE scenarios, contact FSIS' Technical Service Center at 800-233-3935, or by email at ike@fsis.usda.gov.

President Bush Delivers Commencement Address at OSU: Addressing the Class of 2006 at Oklahoma State University on Saturday, President Bush said, "The job market for college graduates is the best it's been in years. The economy of ours is strong and so you'll have more jobs to choose from than previous classes, and your starting salaries will be higher. And the opportunities beyond are only limited by the size of your dreams." He spoke of how technology would offer "unprecedented choices" for today's graduates, and would make life for everyone more efficient and productive with breakthroughs in energy, medicine, and science. For a transcript of his speech online, visit www.whitehouse.gov/news/releases/2006/05/20060506-2.html.

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Alabama BSE Investigation Ends:

The investigation into the case of bovine spongiform encephalopathy (BSE) in an Alabama beef cow ended with authorities unable to trace the cow's herd of origin. The red crossbreed had no brands or tags, but based on dentition was probably 10 years old and born before FDA's 1997 feed ban went into effect. Its calf is still under observation at USDA's Ames, IA laboratory for observation and the cause of death for a previous calf has been impossible to determine. USDA was unable to match the cow's DNA to nearby herds and all area feed mills appeared to be in compliance with feed-ban rules.