

August 19, 2014

Via E-mail

Ms. Victoria Levine
Program Analyst, Issuances Staff
Office of Policy and Program Development
Food Safety and Inspection Service
United States Department of Agriculture
Washington, DC 20250

RE: Extension of Comment Period for Proposed Rule on Records to be Kept by Official Establishments and Retail Stores That Grind Raw Beef Products

Dear Ms. Levine,

On July 22, 2014, the Food Safety and Inspection Service (FSIS or the Agency) of the United States Department of Agriculture published in the *Federal Register* for comment a proposed rule to amend its recordkeeping regulations to specify that all official establishments and retail stores that grind raw beef products for sale in commerce must keep records that disclose the identity and contact information of the supplier of all source materials that they use in the preparation of each lot of raw ground beef (the “Proposed Rule”).¹

The Proposed Rule would impose new requirements on retailers and official establishments and in many instances those new requirements are particularly burdensome. Even a cursory review of the Agency’s economic analysis reveals that FSIS has significantly underestimated the costs the proposed rule would impose. Indeed, a number of retail companies have indicated that if the Proposed Rule is finalized as written, the costs of compliance will prevent them from continuing to provide consumers with beef ground freshly in stores. For many affected companies, the burdens of the Proposed Rule would require:

- Significant additional investment in new technology and/or recordkeeping systems;
- Additional training of substantial numbers of employees and management; and
- Major operational changes in meat departments.

The associations listed below have been in contact with their members, and will continue to do so, with respect to the impact the Proposed Rule would have on those companies. From those

¹ 79 *Fed. Reg.* 42464 (July 22, 2014).

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preliminary discussions, however, it is evident that the impact would be wide ranging and very significant. For that reason it is clear that the 60 day comment period provided in the Proposed Rule is inadequate to provide ample time to craft and submit meaningful comments. Affected companies need more time to assess the impact of the Proposed Rule and provide the Agency with comprehensive comments. Providing an additional 60 days will result in a more informed and better rulemaking and in the process likely enhance public health.

For the foregoing reasons the organizations listed below request that FSIS provide the public with an additional 60 days to comment.

We greatly appreciate your consideration of this request.

Respectfully submitted,

National Grocers Association

American Meat Institute

North American Meat Association

cc: Alfred V. Almanza, Administrator, FSIS