U.S. Department of Agriculture
FSIS Docket Clerk
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The Center for Science in the Public Interest (“CSPI”) appreciates this opportunity to comment on the Food Safety and Inspection Service (“FSIS”) compliance guide for the prevention of violative residues in livestock at slaughter [Docket No. FSIS-2011-0008]. CSPI is a non-profit consumer advocacy and education organization that focuses on food safety and nutrition issues. We are supported principally by the more than 850,000 subscribers to our Nutrition Action Healthletter and by foundation grants.

CSPI supports the U.S. National Residue Program and public listing of violators through the Residue Repeat Violator List. The program reveals an otherwise hidden danger with serious consequences for public health. Overuse and misuse of approved drugs in animal agriculture exposes consumers to risks from exposures to allergens and antibiotic resistant bacteria. Residues from the illegal use of unapproved drugs pose risks of human health effects such as allergic reactions or severe organ damage. Not surprisingly, consumers are strongly concerned about chemical contamination of their food.1 To ensure FSIS guidance is consistent with consumer interests, CSPI offers the following comments:

The Compliance Guide for Residue Prevention 2012 provides appropriate recommendations for using the residue repeat violators list. We agree with the recommendation for slaughter establishments to include potential drug residues in their hazard analysis critical control point (HACCP) system and avoid purchasing animals from producers who appear on the list. It is also important for slaughter establishments to insist on complete traceability documentation on livestock prior to purchase. This is only one example of how a strong animal identification program could improve food safety. We note, unfortunately, that USDA has yet to implement a national animal identification program.

FSIS requested comment on its revised Residue Repeat Violator List. Publication of the list is an important service which FSIS should continue to provide. FSIS should consider making the list electronically searchable on its website or through a smartphone app. Currently,

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1 Fifty-one percent of respondents expressed concern about chemicals in their food, ranking this issue second after foodborne disease in the 2012 Food & Health Survey by the International Food Information Council Foundation.
establishments must download or print the list from pdf and xls formats. Having a searchable list would make it easier for a slaughter establishment to check whether a producer has a history of violations.

CSPI opposes removing producers from the list if they have three consecutive months without a violation. Dairy animals account for 90 percent of the violations found. Yet dairies present cows for slaughter only after they are no longer useful for producing milk. This means a dairy farmer could be dropped from the list simply because he did not have a cow ready for slaughter in the three months after a repeat violation. If FSIS wishes to provide a means for removing a producer from the list, it should base that action on demonstrated compliance with drug residue protocols. For example, FSIS might require the producer to have at least three consecutive tests that are negative for residues.

CSPI agrees with increased testing for residues in animals from producers who are under an injunction obtained by the Food and Drug Administration (“FDA”). However, FDA rarely seeks injunctions. Therefore, these producers represent only a small subset of possible violators who FSIS should target. We recommend that FSIS enter into a memorandum of understanding with FDA to share more information on possible residue violators. This could include sharing information about inspections that identify inappropriate drug use or illegal drugs at the producer’s establishment. Also, FSIS should seek agreements with the States to report any dairy that has a positive test for drug residues in its milk.

CSPI believes that an effective residue testing program is an important component of a preventive food safety system. Properly conducted, testing can enhance food safety by detecting misuse and illegal use of drugs in animals offered for slaughter. That can serve to discourage bad practices by producers and reduce the likelihood that consumers will be exposed to dangerous residues in their food. CSPI urges consideration of the above recommendations to further improve its residue testing program.

Respectfully submitted,

[Signature]

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