

RE: USDA, Food Safety and Inspection Service (FSIS)
FRN Volume 84, Thursday, July 25, 2019
[Docket No. FSIS-2019-0017]
Notice of Request for a New Information Collection: Permit To Transport Undenatured Inedible Meat Products

As indicated on page 35851 Federal Register Notice Vol. 84 [Docket No. FSIS-2019-0017], FSIS has the authority to exercise the functions of the Secretary as specified in both the Federal Meat Inspection Act (FMIA)(21 U.S.C. 601, et seq.) and Poultry Products inspection Act (PPIA) (21 U.S.C.451, et seq.) as such this new information collection needs to include both transported undenatured inedible meat and poultry. It is not clear why information would only be collected for undenatured inedible meat under FMIA. While there is not a comparable regulation to 9 CFR 325.11(e) in 9 CFR Part 381, official poultry establishments have a need to also transport undenatured inedible materials in commerce and would have the same paperwork burden as official red meat establishments. In addition, 21 U.S.C. 460 (b)(1) provides recordkeeping requirements for official establishments that slaughter or process poultry, for commerce, for use as human food or animal food. Because the FRN asks for comments on new collection of information, the most effective use of a collection tool should be for all applicable undenatured inedible products under FSIS jurisdiction.

The following comments are submitted for consideration:

(a) FSIS is responsible for ensuring that meat, poultry, and processed egg products are safe, wholesome, and accurately labeled. Consistent with the FMIA and PPIA definitions "capable of use as human food" shall apply to any carcass, or part or product of a carcass, of any animal, unless it is denatured or otherwise identified as required by regulations prescribed by the Secretary to deter its use as human food, or it is naturally inedible by humans. Therefore, the proposed information collection by FSIS has practical utility to ensure FSIS can verify movement of undenatured inedible material compliance and evaluate any changes in industry practices to ship undenatured inedible to animal food manufacturers or for other uses. FSIS can also use the information collected to evaluate the need to make any changes to current regulatory requirements. The information is necessary for the proper performance of FSIS function to ensure inedible material that may have the appearance of edible product has the proper disposition and labeling to ensure public health is protected when FSIS permits the inedible material to move in commerce undenatured.

(b) Based on my knowledge of the operations in official establishments, FSIS's estimate of the burden of the proposed collection of information may be less as the establishment are already required to keep similar information in their records, so the collection to complete the information may actually take less time than the method currently used per 9 CFR 325.11(e). It is not clear how FSIS assessment based on 150 respondents is representative of the industry need to move inedible material undenatured because the large establishments will have a different burden than the small or very small official establishment. The very small establishment are less likely to have or use computers and so the time to collect and complete the form will be longer than using an electronic method. The information collection time will also vary if this is electronically filed or only on a paper form. The number of days per year will be dependent upon the inedible material produced during normal production days and the different manufacturers using this inedible material. If an establishment is using the same manufacturer throughout the year, then the time used for collection may be less because the information that is to be collected is minimal. Currently the official establishment provides information to the FSIS District Office to receive a permit consistent with 9 CFR 325.11(e), which is the same information the

Agency is requesting to collect. Making the collection uniform will benefit industry by making it less time consuming for official establishment located in multiple districts.

(c) To enhance the quality of the data, FDA and FSIS will need to have a MOU to share data that includes a list of manufacturers that are registered already with the FDA to be used for uniformity and data analysis. A pull-down list on an electronic form makes it easier to analyze the data collected and enhances the quality of the data collected. Use of pull-down menus for the official establishment information to autofill an electronic form, a specific format for entering the weight being shipped. Have specific information about the labeling of this undenatured inedible material on the form so this does not have to be looked up. Included in the design of the information collection tool should be the ability to easily add or update any list that is used, or it will be difficult to identify the different elements and have valuable data associated with transportation of the denatured inedible material.

(d) The best way to minimize the burden of information collection is using an electronic, fillable form that has drop down options for selection that automatically assigns a permit number that is unique to the application. For establishments that may not have access to computers, there will need to be a paper form that an OFO Supervisor or District office can add to the electronic database. Multiple FSIS program areas will need to have access to the data entered into the database to verify compliance of the movement of the inedible material to the consignee.

Thank you for the opportunity to comment on this new collection of information.

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