BEEFMASTER
CATTLEMEN LP

March 18, 2003

Chief, Standardization Branch
Livestock and Seed Program
AMS, USDA,
Room 2603-S, Stop 0254
1400 Independence Ave, SW
Washington DC 20250-0254
Fax 202-720-1112

Docket No. LS-02-02

Dear Sir,

My comments are as follows:

Antibiotic Claims: specifically *Not fed antibiotics:* This claim should be more specific about the time period involved. For example, "cattle not fed antibiotics during the finishing phase". The finishing phase should also be specified in terms of the number of days involved in the finishing phase prior to harvest. This claim should also try to address the ambiguity that exists over the definition of "antibiotics". Some say that ionophers such as Rumensin® and Tylosin® are not included in this definition, other say they are. This is a perfect opportunity to settle this debate and bring more uniformity to this type of claim. I believe that these substances should not be considered subtherapeutic antibiotics and should not be part of this claim as there had been no suggestion that residues of these substances have harmful effects.

Hormone Claims- specifically *No hormones administered during finishing*: The company making the claim should define the term "finishing" so that there is no ambiguity with a finishing period that could be anywhere from 200 days to 30 days. In other words, the company should be required to claim specifically that no hormones were administered within "x" number of days of harvest.

Aged Meat Products-beef: Consumers are not concerned about wet or dry aging. Research shows that tenderness and flavor are enhanced with either method and most consumers do not have a clear understanding of meat science and most likely would rather not know the details that distinguish the two. I do feel it is important that the

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number of days of aging be specified. However, research and our own practical experience do not justify a minimum aging period of 21 days. Most cuts receive the vast majority of the available benefits from aging within 11 days of harvest. Most retailers today have restrictions against even accepting product that is over 14 days of age when it hits their warehouse. Nolan Ryan's Tender Aged Beef specifications require 14 days of aging post harvest before releasing to the retailer. Just adding another 7 days to the retailer's allowable limits was a big hurdle to cross. The retailer is resistant to extending the aging limit further because once the product reaches their warehouse it must still be distributed to their stores and this can take up to seven days in some cases. Consequently, the reality is that when our product actually reaches store level it has 21 to 28 days of age. If it must be 21 days before it even reaches the retailer then some product will be losing its viable shelf life in the distribution system and retailers will be very resistant to purchasing this type of product It seems to me that the fairest way to resolve this issue is to require at least 11 days aging on all cuts in order to make an aging claim and further require the specific minimum number of days of aging be specified in the claim. It also seems appropriate that some sort of third party auditing system accompany an aging claim. For example, our aging claim is audited through a modified processed verified program administered by USDA. A brand should be able to demonstrate some sort of third party verification in order to make an aging claim.

Tenderness Claims: I believe the three-tiered approach to tenderness claims is a sound approach. However, the research we have evaluated and our own experience in producing a guaranteed tender product indicates to us that a threshold of 4.0 kg shear force is unnecessarily restrictive. Tenderness evaluations with large groups of consumers conducted at Colorado State University seem to show conclusively that 4.5 kg is the threshold at which tenderness affects the consumer's eating experience. When samples were over this line the consumer was not interested in purchasing the product again. When samples were under this line the consumer was very interested in repeat purchases. Other literature seems to support this conclusion. If we are to be able to make real progress in offering the consumer consistently tender beef products the goal must be an attainable one. 4.5 kg is an attainable goal and the resulting product is one that consumers are looking for.

Thank you for this opportunity to comment on this regulation.

Sincerely,

Charlie Bradbury
Chief Executive Officer

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