

March 31, 2003

FACSIMILE Pages = 2

TO: Chief, Standardization Branch
Livestock and Seed Program
AMS-USDA, Room 2603-S, Stop 0254
1400 Independence Avenue, SW
Washington, DC 20250-0254

FAX: 202-720-1112

FROM: Gary C. Smith, Ph.D.
Colorado State University



SUBJECT: Relative to Docket No. LS-02-02 (United States Standards for Livestock and Meat Marketing Claims)

I applaud the efforts of AMS to propose minimum requirements for livestock and meat industry production/marketing claims and hope they will become U.S. Standards for Livestock and Meat Marketing Claims. As you and members of your staff deliberate in finalizing these proposed minimum requirements, I respectfully request consideration of the following comments:

- (a) I support the claim and standard for Animal Identification (Traceability) Claims.
- (b) With regard to Antibiotic Claims, I am in favor of the standards for the "No antibiotics used," the "No subtherapeutic antibiotics added" and the "No detectable antibiotic residues (analyzed by 'method X')" claims only if tylosin phosphate (because it is "therapeutic" for prevention/minimization of liver abscess) and the ionophores (because they are "therapeutic" for coccidia) are excluded from the class description of "antibiotics."
- (c) I support the claim and standard for Breed Claims only if Certified Angus Beef and Certified Hereford Beef are, retroactively, made to conform to the new standard.
- (d) I support the Free Range Claims provided the term "feedlot" is defined in terms of a minimum square-footage of pen space: assistance of experts on this subject should define the point at which "pasture" or "range" becomes a "pen."
- (e) I support the claim and standard for Geographic Locations Claims.

- (f) I support the claim and standard for Grain Fed (Corn Fed) Claims.
- (g) I support the claim and standard for Grass Fed Claims provided the wording is modified somewhat to include the word "exclusively" (or "exclusive"). For example, "is the primary energy source" should be modified by saying something like "Grass Fed.--Grass, green or range pasture, or forage must be the exclusive source of dietary energy between weaning and harvest; no concentrates can be fed."
- (h) I support the claim and standard for "No hormones used" as it is written. However, with regard to the claim and standard for "No hormones administered during finishing," I believe there is adequate scientific evidence that implants are exhausted (are no longer releasing anabolic steroids or xenobiotics) at least by 85 to 90 days after administration, and, in many cases, 2 or 3 weeks earlier than that, and thus do not increase tissue levels of these growth-promoting chemicals. If that is correct, then the claim that states "No hormones administered during finishing" can remain worded that way but be qualified by saying that "during finishing" is defined as "during the last 100 days prior to harvest."
- (i) I support the claim and standard for Preconditioning Claims.
- (j) I support the claim and standard for Vitamin E Claims.
- (k) I believe the claim and standard for Aged Meat Claims should be modified as follows: "The term 'Aged' cannot be used without further qualification. If 'Aged' is to be claimed, the statement must consist of qualifications of time (in days) and of conditions of aging ('wet,' if aged in vacuum packages; 'dry,' if aged without protective packaging)." A claim would consist of the words: "Aged for X days (where X can be any number of days greater than 13) with protective packaging ('wet') or without protective packaging ('dry')." For example, an approved claim could be "Aged for 14 or more days without protective packaging ('dry')." To require that all cuts be aged for a specific number of days, depending on "wet" vs. "dry" conditions, is unnecessarily restrictive given the fact that not all cuts would respond in the same manner to a fixed set of aging times/conditions.
- (l) I support the claim and standard for Electrical Stimulation Claims.
- (m) I support the claim and standard for Tenderness Claims with the following qualifications:
 (1) I believe the objective tenderness evaluation, using WBS force value should be ≤ 4.5 kg, rather than ≤ 4.0 kg. (2) I do not believe "Age of livestock" would serve as well as "Physiological maturity" for assessing effects of maturation on tenderness/toughness of the steaks and roasts.

Again, I am personally appreciative of the effort that has been made by AMS-USDA personnel to provide standardization of the claims made for livestock and meat as those animals/products are marketed.

GCS/mra