



December 13, 2024

Submitted electronically via regulations.gov

Docket Clerk
U.S. Department of Agriculture
Food Safety and Inspection Service
1400 Independence Avenue SW
Mailstop 3758
Washington, DC 20250-3700

Dr. Denise Eblen
Administrator
Food Safety and Inspection Service
1400 Independence Ave SW
Washington, DC 20250-3700

Re: Docket No. FSIS-2023-0028: *Salmonella* Framework for Raw Poultry Products

Dear Dr. Eblen:

The National Chicken Council (NCC), the National Turkey Federation (NTF), and the Meat Institute appreciate the opportunity to provide comments on the United States Department of Agriculture (USDA), Food Safety and Inspection Service (FSIS or the Agency) proposed rule and proposed determination – *Salmonella Framework for Raw Poultry Products*. Additionally, we appreciate the previous extensions of the comment period provided by the Agency. NCC is the national, non-profit trade association that represents vertically integrated companies that produce and process more than 95 percent of the chicken marketed in the United States. NTF is the only national trade association exclusively representing the turkey industry, with our members accounting for more than 95 percent of all U.S. turkey production and allied companies that support the industry. The Meat Institute is the nation’s oldest and largest trade association representing packers and processors of the majority of U.S. beef, pork, lamb, veal, turkey, and processed meat products. Collectively, our member companies will be significantly impacted by this proposed rule and proposed determination. Given the complexity and volume of the proposal, to include two lengthy risk assessments, the current comment period remains unworkable. The need for additional time has become increasingly evident given the issues raised in two public meetings that were hosted on December 3, 2024, and December 5, 2024, as well as the pending change in Presidential Administration. As such, we are requesting the Agency further extend the comment period until May 6, 2025.

We appreciate the dedication of the Agency to protecting public health and the continued focus on the proposed *Salmonella* Framework. It is likely that the incoming administration, to include new leadership at various levels within USDA, as well as the incoming Congress, will also be interested in reviewing and

understanding the details laid out in the *Salmonella* Framework. The current administration and agency leadership has had years to develop the content of the proposed *Salmonella* Framework, and we expect the incoming administration will need time to fully understand the scope of this proposal. In the interest of full transparency and engagement, as well as the efficient use of agency and stakeholder resources, FSIS should extend the comment deadline further into the new Congressional session. This will allow time for the new leadership at USDA to become familiar with various initiatives including the proposed *Salmonella* Framework.

As mentioned in our previous extension request, the proposed *Salmonella Framework for Raw Poultry Products* raises numerous questions about complex topics, including risk assessment and public health modeling, detailed applications of highly technical Hazard Analysis and Critical Control Point (HACCP) systems, current and future laboratory testing technologies, and legal and technical considerations, to name but a few. And the more opportunity that our collective members, and public health experts have had been able to work through the thousands of pages of supporting materials, the more evident it has become that the proposal is incredibly complex, and the more questions have emerged. Our member companies – and all facilities that process poultry – will be significantly impacted by the Agency’s proposal, and, to date, the Agency has provided little to no clarification on pertinent and critical questions that will have significant consequences to continuity of business and even the survivability of some broiler chicken companies.

We appreciated the opportunity to address two main components of the proposed *Salmonella* Framework in two recent public meetings held on December 3, 2024, and December 5, 2024. This was an excellent opportunity to hear from all stakeholders, including representatives from very small, small, and large establishments, trade association representatives, consumer advocacy groups, and other stakeholders on both the enforceable final product standard and statistical process control parameters laid out in the proposal. NCC and our member companies made great efforts to develop presentations and submit questions that would have been very helpful to aid in the industry’s comments and understanding of the proposal. However, most of the clarifying questions and technical questions remain unanswered. Further, the meeting on December 5, 2024, made it clear that representatives from very small and small establishments would benefit from direction from FSIS on how to engage with the Agency and submit their comments and concerns. We believe that all stakeholders should have the opportunity to submit their comments on the proposal and be provided with instructions on how to do so. The Administrative Procedure Act (5 U.S.C. 553) requires that the Agency provide opportunity for public comment before adopting a rule. As such, we encourage the Agency to provide instructions to all who may want to submit comments on the impact of the proposal on their establishments. Given that the comment period is currently set to close on January 17, 2025, this will not allow adequate time for the Agency to communicate with interested parties on the process nor the time for those interested parties to submit written responses to the docket. The comment period must be extended to accomplish these important measures.

Finally, on September 3, 2024, Representatives Steve Womack and Jim Costa sent a letter to Secretary Vilsack formally requesting that the Agency extend the comment period for an additional 180-days. NCC and our members would like to thank both Representatives Womack and Costa for this letter, and we are further underscoring their request. At the time that the Representatives’ request was submitted, comments on the proposal were due on November 7, 2024. Adding 180 days to the November 7, 2024, deadline would further extend the comment period until May 6, 2025.

Again, while we appreciate the extension of the comment period until January 17, 2025, the incoming administration and new USDA leadership should be provided with the opportunity to review the proposed *Salmonella* Framework, and requiring comments be submitted days before the transition risks considerable

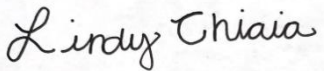
wasted or duplicated effort. Further, all stakeholders should be given the opportunity to comment on the proposal and be provided with adequate instructions in order to do so. Finally, Congress has requested that the Agency extend the comment period for an additional 180-days. The voluminous amount of information required to be read, digested, and responded to requires time and given that the Agency continues to encourage feedback on the proposed *Salmonella* Framework, additional time is needed to meet the Agency's request. As such, we request that the Agency further extend the comment period until May 6, 2025.

Please feel free to contact us with any questions regarding the above request. Thank you for your consideration.

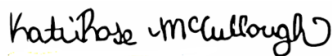
Respectfully submitted,



Ashley B. Peterson, Ph.D.
Senior Vice President, Scientific and Regulatory Affairs
National Chicken Council



Lindy Chiaia, Ph.D.
Vice President of Scientific and Regulatory Affairs
National Turkey Federation



KatieRose McCullough, Ph.D., MPH
Director of Science and Public Health