

# *Meat and Poultry Standards of Identity and Composition Review*

ERIC J. HENTGES\*

On September 1996, the U.S. Department of Agriculture's Food and Safety Inspection Service (FSIS) published in the Federal Register, an advance notice of proposed rulemaking (ANPR) on reforming meat and poultry standards of identity and composition. The essence of the ANPR is that FSIS is considering whether to modify or eliminate specific standards, and/or modify its overall regulatory approach to standardized products.

Traditionally, the standards of identity and composition have provided a framework for identifying products and helping to ensure these products meet consumer expectations regarding composition and characteristics, as well as safety. The regulatory goal for standards is to ensure product integrity and prevent economic adulteration. Both consumers and industry have relied on the current system of standards since the original enactment of food protection statutes in 1906.

FSIS currently has 60 meat and poultry standards of identity and composition regulations published in the 9 Code of Federal Register, Secs. 319 and 381, Subpart P, for meat and poultry products, respectively. The FSIS standards define particular products or product categories in terms of: 1) minimum meat or poultry contents; 2) maximum fat and water contents; 3) methods of processing, cooking and preparation; 4) permitted safe and suitable ingredients, and/or 5) characterizing ingredients. There is no restriction on developing any new product today, only a restriction on labeling the product with a common name if it does not meet the standard for that common name product.

Review of meat and poultry standards of identity and composition will be a major undertaking by FSIS. As explanation for pursuing this action, the Agency states that new technologies, changing lifestyles, changed consumer expectations, and the availability of ingredient and nutrition la-

beling have caused the agency to question the relevance and general usefulness of these standards. In addition, they report some manufacturers and proponents of standards reform argue that the standards are sometimes too restrictive and may have little relevance in today's diverse marketplace. FSIS also noted that with changing expectations regarding nutrition information, consumers are demanding products with lower amounts of constituents with negative health implications, such as saturated fat and cholesterol. They state in some instances, current standards may inhibit the marketing of such products due to established limits on the types of ingredients permitted.

In a previous ANPR, published December 25, 1995, the Agency proposed to modify the standard of identity regulations for processed meat products that bear a nutritional claim: "Food Standards: Requirements for Processed Meat and Poultry Products Named by Use of an Expressed Nutrient Content Claim and a Standardized Term." The intent is to allow the industry to take advantage of new "fat replacement" technology and still be able to refer to the product by the common product nomenclature. An example is low-fat ground beef using carrageenin to retain moisture in the cooked product does not comply with the standard for ground beef and a special policy memo was needed to allow the use of the common name on retail product.

## Issue Comments

FSIS has identified eleven specific categories on which they are requesting comments and information.

1. The utility of the current system, including a discussion of whether standards actually protect the integrity of the food supply, whether food safety objectives can be achieved by other means, and whether standards can ensure that only safe and suitable additives and ingredients are used in products.
2. The flexibility of standards to accommodate changing needs of industry and still ensure products are neither misbranded nor economically adulterated.
3. Product identity, to address how consumers, industry and FSIS would determine, in lieu of standards, when a product was identified in a misleading way.

\*Eric J. Hentges, Director of Consumer Nutrition and Health Research, National Pork Producers Council.

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4. The impact of federal preemption on state jurisdiction. If federal standards were discontinued, would states establish their own compositional requirements?
5. The impact on domestic and international trade, to include a discussion of harmonization of standards.
6. FSIS and FDA uniformity, to what extent should FSIS harmonize its approach to standards reform with FDA?
7. Agency budget constraints and regulatory compliance, taking into account the fact that the agency must give priority to programs affecting food safety and public health.
8. Policy guides, do they serve a useful purpose, do they need revision, what data are available to support revision?
9. To what extent do FSIS requirements for minimum meat content impede the development of reduced fat and other modified products.
10. Grandfather or sunset provisions.
11. The cost and benefits to consumers and industry, do the benefits of standards to consumers and industry outweigh the cost of such regulation?

#### Alternate Considerations

FSIS is considering "one or more" of the following regulatory alternatives.

1. Use of percentage declaration of meat and/or poultry content in conjunction with standardized names. FSIS would permit lesser amounts of meat, provided the product's label contained a declaration of the percentage meat.
2. Development of a general standard of identity for all meat and poultry food products. The general standard would provide for deviations from current ingredient allowances and the deviations would be highlighted in the ingredient statement.
3. Establishment of categories of meat or poultry products with corresponding recommendations for expected meat and poultry content. Deviation from the recommended meat content would be conveyed to consumers through labeling.
4. Private certification of food products. Private organizations would establish criteria for product content and characteristics associated with product names.

5. Elimination of the standards of identity and composition.

#### Summary

FSIS has ask for comments in eleven specific areas concerning the review of meat and poultry standards of identity and composition. It is reasonable to assume that changes in the availability and application of meat and poultry standards of identity will have as great an impact on business and consumer decisions as has occurred with recent nutrition labeling and food safety rulemakings. Therefore, producers and processors must take very seriously the development of any reform policy to be undertaken in this area.

As policy is developed there are sure to be many views and concerns from various segments of the industry. One perspective is that of the livestock producers. They have a significant influence over fresh meat and poultry products presented to the consumer, but only an indirect influence over further processed product regulated by standards of identity. Because a substantial amount of pork and beef is sold as processed meats, producers have a vested interest in the maintenance of product integrity and consumer trust. The established standards have protected the image and equity in the use of common or usual product names, for all segments of the meat and poultry industry. If effective standards reform needs to occur, so be it, but be mindful that trust, integrity, and image are hard to rebuild if we do this thing wrong.

Definitive or quantitative data does not exist for even the most basic questions posed by many of the eleven issue areas. The National Pork Producers Council and the National Cattlemen's Beef Association are pursuing consumer research addressing specific points of the issue areas. These points include consumer attitudes, knowledge and expectation of standards, assessment of new product barriers, and the current market prevalence and introduction rate of nutritionally modified product. The ultimate desire is that a cooperative, systematic, knowledge based pursuit of standards review will provide government, livestock producers, meat processors, and consumers with efficient, effective standards of identity and composition capable of lasting another four decades.