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United States Senate

CHARLES E. GRASSLEY

WASHINGTON, DC 20510-1501

March 11, 2010

The Honorable Tom Vilsack
Secretary
U.S. Department of Agriculture
1400 Independence Ave. SW
Washington, DC 20250

Dear Secretary Vilsack,

Each year I visit every county in Iowa and 2010 is no exception. Over the Easter recess, small and medium sized meat processors came to my town hall meetings and shared their concerns with a March 19, 2010 letter and draft guidance from Administrator Alfred Almanza to nine trade associations regarding Hazard Analysis Critical Control Point (HACCP) plans.

While I fully support efforts to improve food safety rules based on sound science, I share the concerns that Iowa processors have raised with me that this guidance could add additional requirements and substantial new costs to their businesses that serve our rural areas without adding to food safety improvements. Our small communities have been hard hit in the last 2 years and more and more businesses are closing their doors.

Many of the small plants in our state slaughter multiple types of livestock and process a large assortment of unique and niche products. This requires them to have many HACCP plans in place. If they are required to use additional expensive validation methods on all of these plans for which they may already be in compliance on, the costs could be extremely burdensome to these small businesses.

I understand that a fact sheet will be sent to all processors soon. I also understand that after the June 19th, 2010 public comment period closes, a new draft will be released and an additional chance to comment will occur. I urge you to take serious consideration of all comments received, particularly those received from small meat processors.

Since this guidance document is being defined as a clarification or re-interpretation of the July 25, 1996 Pathogen Reduction, HACCP Systems; Final Rule (61 FR 38806) I am concerned that it will not undergo the same scrutiny as regulatory rule making. For example, an assessment of the impact on small businesses will not be required under the Regulatory Flexibility Act of 1980.

In a briefing, your staff stated that a very small percentage, as low as one percent of plants, were not in compliance with current HACCP validation procedures. If this is the case, why is the Agency implementing a one size fits all approach by issuing these guidelines as opposed to

RANKING MEMBER,
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working individually with those not in compliance or new plants just coming online? Why create confusion for plants, the vast majority of which are currently in full compliance?

Protecting food safety is a critical function of the government. But I also want to reiterate the importance of small and medium sized meat processors to Iowa's rural economy. These businesses provide a critical service to our farmers, employ the local workforce, and generate income that is spent in the local communities.

Thank you for taking these concerns into consideration. I look forward to working with you as a second draft of the guidance document is drafted.

Sincerely,

A handwritten signature in blue ink that reads "Chuck Grassley". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Charles E. Grassley
United States Senator