



National Milk Producers Federation

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Agri-Mark, Inc.
Associated Milk
Producers Inc.
Bongards'
Creameries
Cooperative Milk
Producers
Association
Cortland Bulk
Milk Producers
Cooperative
Dairy Farmers of
America, Inc.
Dairymen's
Marketing
Cooperative, Inc.
Ellsworth
Cooperative
Creamery
Farmers
Cooperative
Creamery
FarmFirst Dairy
Cooperative
First District
Assoc.
Foremost Farms
USA
Land O'Lakes,
Inc.
Lone Star Milk
Producers
Maryland &
Virginia
Milk Producers
Cooperative
Association
Michigan Milk
Producers
Association
Mid-West
Dairymen's
Company
Mount Joy
Farmers
Cooperative
Association
Northwest Dairy
Assoc.
Oneida-Madison
Milk Producers
Cooperative
Association
Prairie Farms
Dairy, Inc.
Premier Milk Inc.
Scioto
Cooperative
Milk Producers'
Association

March 29, 2016

Docket Clerk
U.S. Department of Agriculture
Food Safety and Inspection Service
Patriots Plaza 3
1400 Independence Avenue SW
Mailstop 3782, Room 8-163-A
Washington, DC 20250-3700

Re: National Residue Program: Monitoring Chemical Hazards (Docket No. FSIS-2015-0002)

To Whom It May Concern:

The National Milk Producers Federation is pleased to provide the U.S. Department of Agriculture Food Safety Inspection Service (USDA FSIS) comments on National Residue Program: Monitoring Chemical Hazards (Docket No. FSIS-2015-0002). The National Milk Producers Federation (NMPF), based in Arlington, VA, develops and carries out policies that advance the well-being of dairy producers and the cooperatives they own. The members of NMPF's cooperatives produce the majority of the U.S. milk supply, making NMPF the voice of more than 32,000 dairy producers on Capitol Hill and with government agencies.

Exploratory Assessment Program Provides Clarification

The USDA-FSIS maintains a robust residue monitoring system of routinely sampled and tested animal drug and pesticide chemicals. Tier 2 testing programs, also referred to as exploratory assessment programs, provide a means to monitor potential chemical hazards and address further action based on data and supported by a risk assessment. Although carcasses selected for sampling by USDA-FSIS as part of the exploratory assessment program should be permitted to be released into commerce before exploratory results are available, the Agency needs to clarify whether products derived from those carcasses would be subject to any regulatory action if violative test results are received.

The Notice also provides that prior to declaring a chemical to have Tier 1 status, USDA-FSIS will request public comment regarding such a determination. NMPF encourages the Agency to post Tier 2 sample trends annually, as well as provide potential triggering levels prior to proposing a chemical as a Tier 1 hazard.

Lack of Established Tolerances Should Apply to Animal Drugs

The USDA-FSIS approach regarding the lack of established tolerances for environmental contaminants and other chemical hazards should not be confined to those chemical residues analyzed in the Tier 2 exploratory assessments. The Agency requires the final disposition of a carcass and parts when a “Detected but not Quantified, Violation” or those having a quantified violation for some part (such as organ tissue or fat) without a quantified muscle result.¹ Condemnation of meat products should only occur, however, when there is an established tolerance. Until tolerances are established the protocol outlined in the Tier 2 exploratory assessment should be followed for animal drugs and pesticides that do not have a tolerance.

De Minimis Levels Should be Used

NMPF supports using *de minimis* levels (DML) as a guide to determine whether Tier 2 exploratory program activities require follow-up action. The *Federal Register* Notice states “the derivation of a DML follows standard and routinely accepted risk assessment approaches.”² USDA-FSIS should implement a *de minimis* levels approach for other potential hazards, *e.g.* allergens.

Summary

The Agency’s approach of exploratory assessment of environmental contaminants and other potential chemical hazards is an appropriate way to address potential contaminants that do not have tolerances. NMPF requests this approach be applied to animal health chemical residues that do not have established tolerances.

We appreciate the opportunity to provide these comments and are available to address issues raised in the comments.

Sincerely,



Jamie Jonker, Ph.D.
Vice President, Sustainability & Scientific Affairs

¹ FSIS Directive 10,800.1, Rev 1, Residue Sampling, Testing, and Other Verification Procedures Under the National Residue Program for Meat and Poultry Products, page 19.

² FAO/WHO (Food and Agriculture Organization of the United Nations/World Health Organization) 2009. Environmental Health Criteria240: Principles and methods for the risk assessment of chemicals in foods.