

**Conference for Food Protection
2018 Issue Form**

Issue: 2018 I-011

Council Recommendation: Accepted as Submitted _____ Accepted as Amended _____ No Action _____

Delegate Action: Accepted _____ Rejected _____

All information above the line is for conference use only.

Issue History:

This is a brand new Issue.

Title:

Amend Food Code - Whole Muscle Intact Beef Labeling

Issue you would like the Conference to consider:

On May 18, 2015, Food Safety and Inspection Services (FSIS) published a final rule to establish labeling requirements for raw or partially cooked mechanically tenderized beef products (Descriptive Designation of Needle- or Blade-Tenderized (Mechanically Tenderized) Beef Product (80 FR 28153)). The rule amends the regulations by adding 9 CFR 317.2(e)(3).

The new labeling requirements provide household consumers, official establishments, restaurants, and retail stores the information they need to distinguish a cut of beef that is an intact, non-tenderized product, from a non-intact, mechanically tenderized product.

With this requirement, those cuts of beef that are not manipulated can be considered as WHOLE MUSCLE, INTACT BEEF if they are not labeled with the requirement as set forth by FSIS.

Public Health Significance:

The requirement that steaks, to meet the lower cooking requirements of a surface temperature of 145 F with no consumer advisory, be labeled as WHOLE MUSCLE, INTACT BEEF no longer applies. As long as beef steak packaging does not have the required labeling, they can be considered WHOLE MUSCLE, INTACT BEEF.

Recommended Solution: The Conference recommends...:

that a letter be sent to FDA requesting the most current edition of the Food Code be amended to include the following (new language is in underline format and deleted language is in strikethrough format):

Section 3-201.11(E)

(E) WHOLE MUSCLE, INTACT BEEF steaks that are intended for consumption in an undercooked form without a CONSUMER advisory as specified in ¶ 3-401.11 (C) shall be:

(1) Obtained from a FOOD PROCESSING PLANT that, upon request by the purchaser, PACKAGES the steaks and labels them, to indicate that the steaks meet the definition of WHOLE?MUSCLE, INTACT BEEF, Pf or

(2) Deemed acceptable by the REGULATORY AUTHORITY based on other evidence, such as written buyer specifications or invoices, that indicates that the steaks meet the definition of WHOLE?MUSCLE, INTACT BEEF, Pf ~~and~~ or

(3) Not labeled as mechanically tenderized as required in 9 CFR 317.2(e)(3); Pf and

~~(3)~~ (4) If individually cut in a FOOD ESTABLISHMENT:

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Supporting Attachments:

- "FSIS NOTICE 33-17"

It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.