

HB 4152

Ladies and Gentlemen,

I am reaching out to you to express my concerns over SB 4152. I would like to preface this with the acknowledgement that our local agriculture needs more options to bring their goods to commerce. I have been vocalizing the frustrations of the producers and the processors for the past few years and I am excited for this to come to discussion. I am the plant manager for our family owned, 3 generations operated, Certified Organic, Humane Handling Approved, USDA harvest facility in Springfield, Oregon. I have the relatively unique experience of witnessing over 30 years of progressive regulation changes, many that are necessary and some that are trivial. I would like to state that my facility would be one of the most impacted by this bill and despite the loss of business, I still believe we need SOMETHING like this for our producers that have 3 month wait times to harvest their products. I support opening opportunities for the small producers to bring their goods to commerce, but I am EXTREMELY concerned about food safety.

Our Oregon consumers have access to some of the most sought-after commodities one could ask for. In a time that the media and advertising entities have made a push for health-conscious protein choices, they have created a demand for locally sourced meats. We see several campaigns for “farm to fork”, “pasture to plate” and for consumers to try to source their meats from within 100 miles of their homes. With this new marketplace, the producers went to work raising livestock to meet the demands. During this time, the USDA establishments for Oregon have continued to decline in numbers and regulations have tightened and enforcement is often overwhelming. We have been stretched to our limits for processing and our customers feel the pinch.

I would like to address my largest concerns from the USDA standpoint. I am a small processor. I have a VERY competent inspection team. They are diligent and perform their duties with my utmost admiration, even when the challenges are hard to overcome. These experienced inspectors are experts, in my opinion, and even with their extensive experience they often retain carcasses for testing and we hold them pending pathology. On some occasions USDA personell have said that they retained them because they looked less than perfect but they would encourage us to take the cutting instructions and wait for the release that they were comfortable assuming would come in a couple days. Despite these incredibly experienced people thinking they would pass, occasionally pathology would come back as cancers in lymph nodes or infections entering the kidneys and the livestock would be condemned, not even eligible to be fed to pets. These animals would have entered commerce if they had been processed by our same very skilled and competent crew on our mobile slaughter unit because they showed no sign of illness.

As a USDA establishment we create many documents to ensure the safety of our harvests. We use microbial interventions and exercise zero tolerance for fecal and ingesta as USDA regulations require. We have a comprehensive HACCP plan that addresses biological risks and we monitor CCPs (Critical Control Points are implemented when there are potential food safety risks). Food Born illness are most

likely to occur at the point of slaughter and I believe it is IMPERATIVE to the safety of the trusting consumer that the harvests be done under USDA's watchful and educated eye.

I would like to acknowledge that we ran a mobile slaughter unit for a great number of years prior to focusing on being a primarily USDA facility. Each and every animal will be documented through the process on different production logs and will have record checks and CCPs monitored. On the rare occasion that we harvest a beef outside of inspection hours (emergency situations) we generate 2 documents. One is our verification that the animal is over or under 30 months and the other is its record of existence on our daily kill log. It is denoted on all records as being Not For Sale. We also record it on our grind records but that is a company choice, it is not necessary for the Custom Exempt processing. An inspected carcass will be recorded on as many as 6 logs throughout its process and carcass identity is maintained through all processes. When meats enter commerce, it is CRITICAL that there is a traceability that can be TRUSTED. When processed under USDA regulations that lot is present on all records throughout processing and is identifiable on the packaging at the retail level. Sample labels are kept on file and in the rare instance that a product would need to be recalled, all information would be traceable by the processor. I would hope that similar traceability is addressed with this task committee.

Food safety starts at the slaughter. It is my STRONG OPINION that the harvest should be done under the USDA jurisdiction and monitoring. I do believe that the threats of food safety is less at the processing level and I do believe that producers should be able to have their USDA inspected and passed carcasses cut at retail establishments. This arrangement would allow the consumer to have confidence in the lack of disease and in the cleanliness during the most "at risk" part of the harvest. Removal of the hide represents risk of intense contamination that could appear safe if simply hosed off. E-coli 0157H7 must be trimmed off, washed and a microbial intervention applied. It is entirely possible to appear safe but be contaminated with E-Coli 0157H7, which is deadly to children and immune compromised people.

After all CCPs have been met and the carcass has reached a temperature below 44.6 F then the preshipment review could signify release to a state licensed facility for processing and packaging.

I feel it is imperative that the consumer not be at risk of food born illness that could be prevented at Harvest. Butchers, although hard workers and well meaning, are simply not educated to all diseases and some require pathology to confirm safety. If we bypass USDA presence in the most critical part of harvest, we could jeopardize human lives.

My next area of concern is labeling. I presently have 3 kinds of labeling. I presently have "not inspected, not for sale" tape that is applied to any animal that is not harvested under USDA. I have my USDA packaging/labeling that bears the mark of inspection and I have a third style of labeling that is simply our "retail" labeling. All meats harvested under USDA regulations but not processed under USDA regulations get this labeling. It looks identical but does not bear the mark of inspection. How would we

alert the consumer to animals harvested under the observation of qualified staff with the direct supervision of a USDA veterinarian but not mislead them that it is processed without the benefit of inspection? The consumer needs to be alerted to the additional risks of animals harvested without the benefit of inspection. It obviously would not say “not inspected not for sale” as it is “not inspected but for sale”. The consumer has no education to the potential risks of being denied inspection services. I firmly believe that further processing can be safely performed at any State licensed facility with the facility being responsible for food safety. Any adulteration that would occur there would result in a food born illness resulting from a bacteria count due to poor temperature controls or from secondary adulteration. E-Coli 0157H7, salmonella and listeria should be controlled at USDA facilities. BSE (mad cow) represents another concern. USDA has measures to prevent this that many others are likely to not understand or adhere to. Beef that may contain the prion responsible for [Bovine Spongiform Encephalopathy \(BSE\)](#) are processed differently. Any beef that has had been deemed over 30 months are marked and All SRM is removed to prevent this deadly prion from entering the food chain, human or otherwise. For example the tonsil must be removed between the first and second papillae, there can be tonsil tissue found at the back of the and can go undetected. Beef over 30 months can not have spinal columns (t-bones). The balance between making your customer happy and food safety is too important to allow this to go unregulated. These are just a few very Important concerns and all are manageable with proper regulations. These regulations are not as stringent without the rigorous presence of USDA personell.

I would be happy to speak with any members of this committee that might seek understanding of my concerns. I would love to work with committee members that could help our small producers bring their efforts to commerce but if done incorrectly, this could be injurious to our community and to our local agriculture’s reputation.

Sincerely,

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## Pros

- 1) Increased production options for small producers
- 2) Increased accessibility for small producers to participate in processing
- 3) Increased harvest turn around times
- 4) Allows for State licensed facilities to help an overworked industry
- 5) Allows USDA facilities (such as mine) to package USDA harvested after hours and on weekends and still enter commerce without paying USDA inspection overtime fees

## Concerns

- 1) Lack of detection for animal disease. Custom exempt butchers are not educated in less obvious disease.
- 2) Lack of pathology for suspect animals
- 3) Lack of supervision at Critical Control points designed to reduce biological risks
- 4) Lack of supervision for SRM removal (Mad Cow prevention)
- 5) Concern in accurate labeling alerting the consumer to no inspections services at harvest but is processed under state exempt conditions
- 6) Concern over traceability in the event of recall
- 7) Concerns over accurate labeling. All label claims currently go through FSIS and must be approved. Who will monitor claims for accuracy such as "all natural", "grassfed", "free range", "100% wagyu", "angus", "no antibiotic" etc?
- 8) Wastes generated at USDA level are acceptable for FDA regulations on pet food. The state will not. Waste products will need to be disposed and not saved without further exemptions through FDA
- 9) Oregon Dept of Agriculture use to monitor custom exempt slaughter but funding became impossible a few decades ago and USDA had to take over. Where will Or Dept of Ag come up with the continuing funds for additional inspection personell without charging for this service?
- 10) USDA Inspectors monitor recent injuries and healing sickness for antibiotic use. Tissue samples are sent in on any animals displaying ANY potential healing injury to assess the presence and quantity of antibiotics. There is a reasonable level of expectation that consumers are not buying products with antibiotic residue.

## First hand experiences

- 1) We currently process rabbits under our ODA licensing and we received ZERO education on the safety of the animal entering commerce. It is assumed that because we harvest other animals, that our crew would know obscure illnesses. I retained 2 rabbits out of a batch of 60 beautiful rabbits, all of which were incredibly vibrant and healthy, so I could ask my inspector's opinion. This is not a resource generally available to a State licensed facility and I likely overstepped my boundaries but in the name of food safety, I was advised to discard both animals as they had cancer and should not even be fed to dogs. There was zero reason why my butcher didn't just pass them through, he is paid by the head, but integrity had him hold them back for a more educated opinion. State licenses do not insure adequate education.