



## *NATIONAL MEAT ASSOCIATION*

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**Edited by Kiran Kernellu  
September 13, 2004**

**Read the newsletter the day it's printed! Send your e-mail address and company or organization affiliation to [staff@nmaonline.org](mailto:staff@nmaonline.org) and we'll send it by e-mail.**

### **USDA APPROVES NEBRASKA'S ANIMAL ID PROGRAM**

Nebraska's animal identification system was approved last Thursday by the U.S. Department of Agriculture's Animal and Plant Health Inspection Service, said Gov. Mike Johanns, according to a report by *The Independent*. The premise identification system is one part of an overall livestock identification and tracking system that will be used to trace animals in the event of a disease outbreak or terrorism act, Johanns added.

The Nebraska Animal Verification Enhancement (NAVE) system features animal identification, animal tracking and integrated participation for all segments of Nebraska's livestock and beef production industries. NAVÉ is a computerized livestock premises registration system designed by the Nebraska Department of Agriculture that records the locations where animals live or will live.

The Nebraska Department of Agriculture (NDA) expects to begin registering livestock premises soon. Greg Ibach, assistant director of the Nebraska Department of Agriculture, said with USDA approval the state can now begin using the software system it developed to register livestock producers and issue them premises ID numbers. The software program was developed over the last year, Ibach said, with the University of Nebraska playing a key role in writing the software program.

Over the summer, he said, the Nebraska Agriculture Department and the USDA worked in certifying the Nebraska animal identification system. "We are the first state outside the USDA system, which is a system they developed in cooperation with the Wisconsin Livestock Consortium, to be declared compliant," he said.

The program, which will be voluntary, will "[give] our producers the platform to be able to tie in value-added opportunities through programs that want source-verified traceable cattle," Ibach said. "We are hoping that by being a voluntary system, the market will send the signal out there in putting a higher value on traceable animals and providing incentives for producers to opt into this and not worry about a mandatory system because everybody wants into this because it is of economic value to them," Ibach added.

He said the state agriculture department has had a lot of contacts with producers about the new animal identification system. "We think there is a significant number eager to get registered and receive their official USDA premises number," Ibach said.

### **"O" HEARS FOWL CRY**

NMA, along with eight other industry associations, sent a letter to *O, The Oprah Magazine* regarding a September article entitled "Fowl Play." The article, which dismisses non-organic meats as "poison," contains several factual errors that compelled correction. NMA members can contact Kiran Kernellu at 510-763-1533 or [kiran@nmaonline.org](mailto:kiran@nmaonline.org) for a copy of the letter.

### **JAPAN CONFIRMS THIRD BSE CASE THIS YEAR**

Japanese officials have confirmed a new case of BSE in the island nation today. This is Japan's third case this year, and twelfth overall. According to prefectural (state) spokesman official Toshinori Takano in the *Associated Press*, the five-year-old dairy cow tested positive for BSE last Friday at a slaughterhouse in Shisui town in southern Kumamoto prefecture, about 565 miles southwest of Tokyo. Takano said the outcome was confirmed today with more precise tests at a state-run infectious disease research institute.

He said that the animal's meat and organs hadn't gone to market, and its carcass will be incinerated.

## A CLOSER LOOK AT BSE TESTING TECHNOLOGY

As of today, a total of 57,064 tests have been completed since June 1 in the enhanced BSE surveillance program. While the large number is impressive, an understanding of the particulars of the testing procedure gives a better appreciation of the hard work behind that number.

NMA's Summer Conference featured two Specialty Meetings focusing on BSE testing technology from members Bio-Rad Laboratories and Prionics AG. Our thanks to Dr. Asmita Patel of Bio-Rad and William Nixon of Prionics for providing attendees with details of their respective testing processes.

Bio-Rad's test kit is based on the ELISA detection method. This method, like others, entails purifying the brain sample, and comparing it to the abnormal or resistant prion protein. That resistant prion is the marker identified in post-mortem bovine tissue samples. The abnormal protein is most concentrated in the obex (portion of the brain stem).

It's about a four-hour process from sampling to detection. During purification, the sample is subjected to grinding, centrifugation and another bout of grinding. Two buffers are added and the sample is incubated. Another buffer is added and the sample is subjected to Vortex®.

The detection portion of the process involves two additional incubations and washes. The sample is then left in darkness at room temperature for 30 minutes, after which a stop solution is added. Then the sample is "read."

Prionics' Check WESTERN employs an immunoassay detection technique. (Prionics also offers an ELISA-based product.) Using obex tissue, the sample is homogenized in a special liquid and transferred to a 96-well analysis plate. The homogenized sample is then treated with an optimized reagent mixture that degrades the normal prion protein, leaving only the BSE specific prion protein in the test sample.

The BSE-specific prion protein is bound with Prionics® Antibody 6H4. A second antibody is coupled to an enzyme, which emits light after the addition of further reagents. This light can be detected using appropriate analytical equipment.

For more information on either of these processes visit <http://www.bio-rad.com/> or <http://www.prionics.com/>. Look for an article about USDA's collection and sampling in next week's newsletter.

### CALLING ALL MEMBERS!

MEATXPO '05 is right around the corner! It will be held at the Rio in Las Vegas, February 20-23, 2005.

In continuing with our annual tradition, we will have a consultants' booth available. The consultants' booth is an area designated for NMA consultants and members to discuss hot topics, operational procedures, food safety, HACCP and other topics of interest. This is a great opportunity to work one-on-one with a consultant. The consultants are excellent resources, many of them having previously worked for FSIS. We encourage everyone to take advantage of their availability and expertise while in Vegas.

We'd like to know what topics and questions you would like the consultants to address either as a (1) personal one-on-one discussion item or (2) as a specific group presentation. Please complete the Consultants' Booth Topic Request Form

([http://www.nmaonline.org/Consultants\\_Booth\\_Questionnaire\\_to\\_Members.pdf](http://www.nmaonline.org/Consultants_Booth_Questionnaire_to_Members.pdf)) located on our Events page and fax or e-mail the completed form to Julie Ramsey. Request a form by fax or mail by contacting Kiran Kernellu at [staff@nmaonline.org](mailto:staff@nmaonline.org) or 510-763-1533.

### BSE UPDATE

As of September 13, 2004, no positive or inconclusive BSE test results have been reported. Since June 1, a total of 57,064 tests have been completed. Visit updates at: [http://www.aphis.usda.gov/lpa/issues/bse\\_testing/test\\_results.html](http://www.aphis.usda.gov/lpa/issues/bse_testing/test_results.html).

## SUPPLIER OF THE WEEK



### DCS SANITATION MANAGEMENT

Tom Murray, President  
P.O. Box 43215  
Cincinnati, OH 45243

PHONE: 800-837-8737  
FAX: 800-837-2128  
E-mail: [dcs@dcs.ms](mailto:dcs@dcs.ms)

Provider of comprehensive contract sanitation programs to the meat industry.

## HUMANE HANDLING & SLAUGHTER

Last Wednesday, FSIS published a notice in the *Federal Register*, "Humane Handling and Slaughter Requirements and the Merits of a Systematic Approach to Meet Such Requirements." FSIS is encouraging livestock slaughter establishments to use a systematic approach to humane handling and slaughter to best ensure that they meet the requirements of the HMSA, FMIA, and implementing regulations. The agency believes that with a systematic approach establishments can better focus on treating livestock so as to minimize excitement, discomfort, and accidental injury the entire time they hold livestock in preparation for slaughter.

Contact Lynn Dickey, Ph.D., Director, Regulations and Petitions Policy Staff, Office of Policy, Program and Employee Development, Food Safety and Inspection Service, Cotton Annex Building, 300 12th Street, SW., Room 112, Washington, DC 20250-3700; (202) 720-5627 for more information. NMA members can contact Kiran Kernellu at 510-763-1533 or [kiran@nmaonline.org](mailto:kiran@nmaonline.org) for a copy of the Olsson, Frank & Weeda memo summarizing the notice. Visit the notice at:  
<http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-20431.htm>.

## EFFLUENT LIMITATIONS GUIDELINES & NEW SOURCE PERFORMANCE STANDARDS

The Environmental Protection Agency published a final rule in the Sept. 8 *Federal Register* entitled, "Effluent Limitations Guidelines and New Source Performance." The rule revises Clean Water Act effluent limitations guidelines and new source performance standards for meat producing facilities, including first processors and further processors, as well as renderers. The regulation becomes effective October 8, 2004.

It establishes effluent limitations guidelines and new source performance standards for existing and new poultry first and further processors, and limitations on wastewater discharges of specified pollutants for meat and poultry products facilities that discharge directly to U.S. waters.

It applies to wastewater discharges from existing meat and poultry facilities above specified production thresholds, and the new source standards apply to new meat facilities above the production thresholds and to all new poultry facilities irrespective of production level. NMA members can contact Kiran Kernellu at 510-763-1533 or [kiran@nmaonline.org](mailto:kiran@nmaonline.org) for an Olsson, Frank & Weeda memo on this rule. Visit the *FR* notice at:  
<http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-12017.htm>.

## 2004 EWE LAMB REPLACEMENT AND RETENTION PAYMENT PROGRAM

The Farm Service Agency published a proposed rule in the Sept. 7 *Federal Register* inviting comments on a new program, the 2004 Ewe Lamb Replacement and Retention Payment Program. The proposed program will assist producers of sheep and lambs by providing up to \$18 million total, in direct cash payments, to encourage the replacement and retention of ewe lamb breeding stock during the one-year period from August 1, 2003, through July 31, 2004. The agency is taking this action to provide immediate financial assistance to sheep and lamb producers who have recently experienced reduced production and flock size, low prices and poor market conditions.

Submit comments on this rule by October 7. Visit the proposed rule at:  
<http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-20186.htm>.

## UPCOMING NMA SEMINARS

**September 16-18, 2004 - Developing and Implementing HACCP for Meat & Poultry Plants (Basic HACCP Certification Training)** – San Francisco, CA

**October 25-27, 2004 – Process Validation Ready-to-Eat (RTE) Products** – San Antonio, TX

**February 20-23, 2005 – 59<sup>th</sup> Annual Convention and MEATXPO '05** – Las Vegas, NV

**February 23-24 2005 – AMSA/NMA Meat Science Conference** – Las Vegas, NV

Contact NMA at (510) 763-1533 for more information and registration materials or visit the Events page of NMA's website at: <http://www.nmaonline.org/html/events.htm>. Seminar locations are subject to change.

## LINKS

NMA reports news items that are of special interest to its readers, and provides information that they may want to be able to access. Below are links to the *Federal Register*, AMS, APHIS, and FSIS, respectively:  
[http://www.access.gpo.gov/su\\_docs/aces/aces140.html](http://www.access.gpo.gov/su_docs/aces/aces140.html); <http://www.ams.usda.gov/>;  
<http://www.aphis.usda.gov/>; and  
<http://www.fsis.usda.gov/>.

**It's time to start planning for NMA's 59<sup>th</sup> Annual Convention and MEATXPO '05 – February 20-23, 2005! A preliminary schedule is available at:**

**<http://www.nmaonline.org/2005 Tent Schedule Info.pdf>**

**Visit [www.meatxpo.org/](http://www.meatxpo.org/) for more information on our biennial trade show!**

**NON-PROFIT SEEKING MEAT DONATIONS**

Phoenix House, a non-profit organization that provides substance abuse treatment services for both residential and outpatient care, is seeking donations of meat products for assistance with its women's and children programs, adolescents and adults. Founded in 1967, Phoenix House is the nation's largest non-profit organization devoted to the treatment and prevention of substance abuse - treating nearly 5,500 adults and adolescents each day at more than 100 programs in nine states and 57 facilities, including seven facilities in Southern California.

Serving the recovery needs of approximately 10,000 to 12,000 clients annually, Phoenix House depends on donations in order to enhance the quality of care provided to its clients. All donations can be sent to Attn: Alexis Smith-Resource Dept., Phoenix House, 11600 Eldridge Ave., Lake View Terrace, CA 91342. Phoenix House also offers a pick up service for donations. Contact Resource Manager Alexis Smith at 1-818-896-1121 ext. 4058 or [ASmith@phoenixhouse.org](mailto:ASmith@phoenixhouse.org) to schedule a pick up.

**USDA BUYS BEEF**

USDA announced the following purchases last week for distribution to the National School Lunch Program. USDA continues to invite offers for the program. Further information may be obtained from the Contracting Officer at (202) 720-2650.

Product/Company/Production Point	Destinations	# of Loads	Price Range
<i>Awards made for LS-10, invitation 010 to be shipped between October 1 and 15, 2004:</i>			
<b>Beef-Frozen Fine Ground</b>			
Palo Duro Meat Processing, Amarillo, TX	MS, AR, OK, TX, WY	13	\$1.7430-\$1.7610
Central Valley Meat Company, Hanford, CA	GA, MS, NC, SC, LA, TX, UT, AZ, ID, OR, WA	20	\$1.6875-\$1.7499
Westland Meat Co., Chino, CA	CA	6	\$1.7500-\$1.7600
Skylark Meats, Inc., Omaha, NE	CT, ME, NY, MD, PA, VA, WV, AL, FL, KY, OH, IL, MI, MN, ND, SD	32	\$1.7033-\$1.7621
<b>Beef-Frozen Beef Patties, w/VPP</b>			
Cherry Meat Packers, Chicago, IL	GA, TN, SC, IL	10	\$1.7444-\$1.7612
<b>Beef-Frozen Beef Patties, 100% Beef</b>			
American Foodservice Corp., Fort Worth, TX	CT, RI, PA, AZ, OR	6	\$1.8212-\$1.8502

*Additional noncompetitive awards were made in the 8(a) Program administered by the Small Business Administration:*

<b>Beef-Frozen Fine Ground</b>			
Imperial Sales Company, Chicago, IL	AL	2	\$1.7550
McGreevy's Mid West Meat Co., Chicago, IL	AZ	2	\$1.7351
Mil-Ray Food Co., Inc., Chicago, IL	AL	2	\$1.7550
Silver Wolf Enterprises	TX	2	\$1.7457

**SLAUGHTER HEAD WEEK ENDING: 9/11/04**

	Current Week	Previous Week	% Change	Last Year	% Change
<b>Cattle</b>	541,000	640,000	-15.5	749,000	-27.8
<b>Vealers</b>	15,000	17,000	-11.8	18,000	-16.7
<b>Hogs</b>	1,855,000	2,037,000	-8.9	1,963,000	-5.5
<b>Sheep</b>	48,000	54,000	-11.1	56,000	-14.3

**CATTLE SLAUGHTER BY CLASS**

Week	Cows	Bulls	Heifers	Steers
8/28/04	14.9	2.0	30.9	52.1
8/30/03	15.6	1.8	32.3	50.3

**HOG SLAUGHTER BY CLASS**

Week	Barrow-Gilts	Sows	Stags-Boars
8/28/04	96.6	3.2	0.2
8/30/03	96.5	3.2	0.2

**The JACOBSEN Price Guide**

**9/10/04**

Daily prices available online at: [www.by-products.com](http://www.by-products.com)

	TALLOW	GREASE	MEAT & BONE MEAL
	Bleachable Fancy	Yellow	Ruminant
Pacific Northwest	14.5	13.0	190.0
Los Angeles/San Francisco	14.5	13.0	N/A
San Joaquin Valley	N/A	14.25	N/A
California	N/A	N/A	175.0-200.0

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**(Pacific Coast Commodities)**

9/13  
 19.5

**HIDES PRICES (Jacobsen's) - 9/10 - per pc - per lb**  
 Butt Branded Steers (68lbs & -) \$62-64.5 .755-.7975  
 Branded Cows North \$43-44 .66-.7  
 Branded Heifers (57lbs & -) \$54.25 .8



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### U.K. BLOOD TRANSFUSION RECIPIENTS WARNED ABOUT vCJD

*BBC News* recently reported on a warning to United Kingdom patients who received blood products from donors who subsequently died from variant Creutzfeldt-Jakob disease (vCJD) that recipients might be carrying the disease. Last year a patient died following a transfusion from one with vCJD, and that case was thought to be the first person-to-person vCJD transmission. Reportedly, only patients who received blood products before 1999 (when new rules and procedures were introduced) are at risk.

In the report, Health Secretary Dr. John Reid said new measures to prevent the possible spread of vCJD would include an assessment of blood products used before 1999 and informing anyone who received blood products from donors who later died of vCJD. Some 25,000 are expected to receive letters from the U.K.'s Department of Health warning of the possible vCJD exposure. Read more at: <http://news.bbc.co.uk/go/pr/fr/-/1/hi/health/3610096.stm>.

### JAPANESE MEDIA REPORTING COWS 20 MONTHS AND YOUNGER COULD BE IMPORTED SOON

Last week, NMA participated in an update teleconference with senior USDA officials on the on-going discussions with Japan about reopening that market to U.S. beef. Indeed, the discussions are continuing on an informal basis, and a recent report by the Food Safety Commission (FSC) has been reported to senior Japanese officials and is generally very positive. There is increasing recognition in Japan that the effective removal of Specific Risk Materials (SRMs) is the most important step to assuring the safety of beef.

The industry representatives made it very clear that the 20 months break point on animal age is not supported by science. Further, as U.S. BSE surveillance continues and confirms that any BSE finding in the U.S. is rare, unlike the epidemic found in the U.K., the status of the U.S. in recognized international organizations should provide for sunseting restrictions.

The importance of resumption of normal live animal trade with Canada was also mentioned. As always, NMA will keep its members informed, but we were encouraged at the progress of the discussions.

Meanwhile, Japan's *Kyodo News* reported last week that the nation will limit the type of U.S. beef products it consents to import to those derived from animals 20 months of age or younger. It will not require that those cows be tested for mad cow disease, the farm minister suggested last Friday.

"We will not drop the condition that [the United States] apply the same treatment as that levied domestically," even if the government eases its stance on blanket testing for the disease in line with (last) Thursday's recommendation by the Food Safety Commission, said Agriculture, Forestry and Fisheries Minister Yoshiyuki Kamei during a news conference. "We have to demand that [the United States] adopt an equivalent stance," he added.

As previously reported, Japan has noted the difficulty in detecting BSE in cows aged 20 months or younger using the current BSE testing methods. (The youngest confirmed diagnosis of BSE in Japan came from a 21-month-old cow.) Kamei's remarks amounted to a rejection of a U.S. request that Japan remove cows aged 24 months and younger from the BSE testing requirement.

Kamei also told reporters that Japan has "not yet" produced any agreement with the U.S. on when to resume bilateral talks on beef trade. Although Japan and the U.S. agreed earlier to try to reach an accord on lifting Japan's beef import ban during the summer, negotiation sources reportedly say that both sides will likely reach an agreement maybe by October.

Prime Minister Junichiro Koizumi is expected to discuss the ban with President Bush when they attend the Sept. 21-22 United Nations General Assembly in New York, according to the *Associated Press*.

**RULEMAKING DEADLINES:**

DEADLINE DATE	AGENCY	DESCRIPTION	FEDERAL REGISTER LINK
Sept. 13, 2004	APHIS	"Notice of Request for Extension of Approval of an Information Collection (in support of regulations for the interstate movement of sheep and goats and an indemnity program to help prevent the spread of scrapie)"	<a href="http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-15808.htm">http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-15808.htm</a>
Sept. 13, 2004	APHIS	"Notice of Request for Extension of Approval of an Information Collection (to support the National Animal Health Monitoring System's National Poultry 2004 study)"	<a href="http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-15806.htm">http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-15806.htm</a>
Sept. 13, 2004	APHIS-FSIS	"Federal Measures To Mitigate BSE Risks: Considerations for Further Action; Proposed Rule"	<a href="http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-15882.htm">http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-15882.htm</a>
Sept. 17, 2004	AMS	"Notice and request for comments (in accordance with the Livestock Mandatory Reporting Act of 1999 for the Livestock and Grain Market News Branch of the Livestock and Seed Program)"	<a href="http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-16275.htm">http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-16275.htm</a>
Sept. 17, 2004	APHIS	"Extension of approval of an information collection; comment request (indemnity for sheep, goats, and horses destroyed because of brucellosis)"	<a href="http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-16279.htm">http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-16279.htm</a>
Sept. 20, 2004	APHIS	"Extension of approval of an information collection; comment request (to prevent the introduction of bovine spongiform encephalopathy into the United States)"	<a href="http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-16707.htm">http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-16707.htm</a>
Oct. 12, 2004	FDA	Use of Materials Derived From Cattle in Human Food and Cosmetics; and Recordkeeping Requirements for Human Food and Cosmetics Manufactured From, Processed With, or Otherwise Containing, Material From Cattle; Final Rule and Proposed Rule"	<a href="http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-15881.htm">http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-15881.htm</a>
Oct. 18, 2004	FSIS	"Frequency of Foreign Inspection System Supervisory Visits to Certified Foreign Establishments"	<a href="http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-18889.htm">http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-18889.htm</a>
Oct. 25, 2004	APHIS	"Interstate Movement of Sheep and Goats; Approved Livestock Facilities, Identification and Recordkeeping Requirements"	<a href="http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-19516.htm">http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-19516.htm</a>
Oct. 25, 2004	APHIS	"Tuberculosis in Cattle; Import Requirements"	<a href="http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-19313.htm">http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-19313.htm</a>
None	FDA	"Revised Compliance Policy Guide Regarding Prior Notice of Imported Food Under the Public Health Security and Bioterrorism Preparedness and Response Act of 2002; Revised Joint Food and Drug Administration-Customs and Border Protection Plan for Increasing Integration and Assessing the Coordination of Prior Notice Timeframes; Availability"	<a href="http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-18742.htm">http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-18742.htm</a>
None	FDA	"Animal Feed Safety System: A Comprehensive Risk-Based Safety Program for the Manufacture and Distribution of Animal Feeds; Request for Comments"	<a href="http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/04-7188.htm">http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/04-7188.htm</a>
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None	FSIS	"Enhancing Public Health: Strategies for the Future 2003 FSIS Food Safety Vision"	<a href="http://www.fsis.usda.gov/oa/programs/vision071003.htm">http://www.fsis.usda.gov/oa/programs/vision071003.htm</a>
None	FDA	"Guidance for Industry: Evaluating the Safety of Antimicrobial New Animal Drugs With Regard to Their Microbiological Effects on Bacteria of Human Health Concern; Availability"	<a href="http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/03-27113.htm">http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/03-27113.htm</a>

**THE MEAT AND POULTRY BUYERS GUIDE**

The North American Meat Processors Association (NAMP) has made its *Meat and Poultry Buyers Guide* available online. The guide contains the *Meat Buyers Guide*, *Poultry Buyers Guide* and *Foodservice Reference* all in one convenient publication. Recently updated, it contains more than 360 illustrated foodservice cuts of beef, pork, lamb and veal, buying and ordering procedures, nutrition data, food safety information, USDA grading standards, NAMP/IMPS identification numbers, and foodservice reference materials. The *Poultry Buyers Guide* includes detailed descriptions of foodservice cuts of poultry, storage and bacterial guidelines, purchaser specified options, safe handling tips and nutrition data. In addition to the online versions, and printed books, a CD-ROM version is also available of both manuals combined in an easily referenced, indexed format.

In addition, NAMP carries foodservice posters (24" x 36") and notebook charts (8 1/2" x 11") for beef, pork, lamb, and veal portion cuts. The notebook charts are also offered in Spanish.

NAMP is currently conducting a summer special on all of its Center of the Plate Educational Products. If you order by September 30, 2004 you'll receive a free poultry poster! Contact NAMP at 703-758-1900 or [www.namp.com](http://www.namp.com) for more information.

**THE AMSA/NMA MEAT SCIENCE CONFERENCE TAKES PLACE FEB. 23-24, 2005 IN LAS VEGAS.**  
*(Separate registration is required.)*

# Labor Relations

Week 1 - Marketing Trends/Meat Lookout  
Week 2 - Labor Relations/Risk Management  
Week 3 - Calendar/Announcements  
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National Meat Association

September 13, 2004

## Employee Health Information: What Are Employers Permitted to Obtain?

Although it has been over a year since the Health Insurance Portability and Accountability Act (HIPAA) became effective, many employers continue to find themselves in a quandary as to how to properly gain access to and use their employees' health information without going awry of employees' privacy interests. HIPAA requires health plans to issue certificates of creditable coverage to help plan participants transfer to new health plans without imposing pre-existing condition limitations and exclusions. More importantly for employers though, is HIPAA's function of protecting individuals' medical privacy (the Privacy Rule).

### *To Whom Does HIPAA Apply?*

One of the main areas of confusion for employers is whether or not HIPAA is applicable to them when it comes to employees' health information and privacy. HIPAA applies to covered entities, which are defined as health care providers, health care clearinghouses and health plans. Health plans include insured and self-insured group health plans and HMO's, wellness benefit programs, employee assistance plans and flexible benefit plans with medical savings accounts. Not included in this list are employers who are not self-insured and other sponsors of health plans. It is important for an employer to remember, that even if it does not fall within the definition of "covered entity" it still may have obligations under HIPAA. Those obligations and limitations are discussed below.

### *What is Protected by the Privacy Rule?*

HIPAA's Privacy Rule provides that a covered entity cannot disclose that information which is considered protected health information (PHI). This includes individually identifiable health information that is transmitted, maintained or stored in any fashion. Health information includes any information that is created or received by a covered entity or employer and relates to the past, present or future physical or mental health of an individual. More specifically, individually identifiable health information includes any health information that identifies the individual, such as name, address or social security number. The Privacy Rule prohibits a covered entity from using or disclosing an individual's Protected Health Information (PHI) except: (1) for treatment, payment and plan operations; (2) with the authorization of the individual to whom the information pertains; (3) or as otherwise permitted by the Privacy Rule. In any circumstance where a covered entity requests, uses or discloses a person's PHI, it must take reasonable steps to limit PHI to the minimum information necessary to accomplish the intended purpose of the use, disclosure or request.

### *I need access to an employee's PHI...how do I get it?*

If an employer is a covered entity and needs access to an employee's PHI, the employer must have authorization from the employee for release of the PHI. This authorization must: (1) include a description of the information to be disclosed that identifies the information in a specific and meaningful fashion; (2) identify to whom the disclosure will be made; (3) identify the reason for the disclosure; (4) include a statement of the individual's right to revoke; (5) list an expiration date either at a date certain or upon a stated event; and (6) it must be signed and dated by the individual.

### *I'm not a covered entity, so what does HIPAA mean for me?*

HIPAA allows a health plan, health insurance carrier or HMO to disclose PHI to an employer who is a plan sponsor, if certain conditions are met. An employer can be a plan sponsor by simply providing its employees with a health plan, whether it is self-insured or fully insured. The term "plan sponsor" does not indicate covered entity status. One of the conditions that must be met is that the health plan documents must be amended to:

- Establish a procedure for resolving compliance issues;
- Identify the employees who will have access to the PHI;
- Identify the circumstances under which the employees will have access to the PHI;
- Provide that the health plan will disclose PHI to the employer only if the employer provides a certification of its agreement to implement certain safeguards for PHI.

This certification must include safeguards to guarantee the confidentiality of PHI, such as not using the PHI for purposes outside the law or the purpose for which the PHI was released. It should also state that the PHI will not be used for employment-related actions and that certain record-keeping measures will be implemented to ensure the privacy of the PHI.

### *What steps can I take to ensure I'm in compliance?*

The first step is to determine how the Privacy Rule affects your company depending on whether you are a covered entity. Employers should bear in mind, that if they have a self-insured group health plan, then they qualify as a covered entity and therefore may have more obligations under HIPAA than a fully insured plan. For instance, self-insured employers must prepare and distribute a Notice of Privacy Practices to employees. Secondly, non-covered entity employers should amend health plan documents in order to receive PHI from the health plan and certify the employer's commitment to safeguard PHI and implement those measures. In addition, employers should have documented training for employees who will handle PHI regarding its proper uses and disclosures under HIPAA. Finally, communicate with employees regularly to ensure that they understand that any requests for medical information by you will be as permitted under the HIPAA Privacy Rule.



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# Risk Management

Week 1 - Marketing Trends/Meat Lookout  
Week 2 - Labor Relations/Risk Management  
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National Meat Association

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## LAPTOP COMPUTER SECURITY - Loss Prevention Techniques

The rising popularity of laptop computers has given rise to an equally popular form of high-tech crime: laptop theft.

Some thieves are opportunists, simply looking to sell a stolen laptop for a fraction of its value. Other thieves target certain companies or individuals for the valuable information typically stored in a laptop computer - including business plans, customer lists, pricing schedules and the like. The most popular targets are offices, automobiles, airports and hotel rooms.

While the loss of the laptop is a serious concern, the loss of the data is often more important and valuable than the cost of the laptop itself. It is not uncommon for a laptop to be a portable office containing contact lists, customer information, product plans, business plans, financial information, proprietary software and other confidential information that could cause great harm in the hands of a competitor.

Technologies installed to protect information on your laptop can be compromised by cyber attacks. Information security breaches are widespread and diverse and can result in serious damages. The loss can be significant when it affects critical business information. A recent study conducted by the FBI found that 57% of computer crimes are linked to stolen laptops, which were then used to break into corporate servers.

Here are suggestions to help protect your laptop, and the information stored in it, from theft. The bottom line: guard your laptop as you would guard your wallet.

### Physical Protection

Use a weatherproof, padded, inconspicuous carrying case for storing and transporting laptops. Cases are now designed to look like backpacks, briefcases, even handbags, in which you can conceal your laptop. Store shipments of new or unassigned laptops in locked closets or rooms with controlled access and no false ceilings or partial walls.

### Protective Software

Protect and secure proprietary information and preserve data by using password locking programs, encryption programs with file compression abilities, and anti-virus software.

### Locking Devices

If your laptop can be connected to a docking station, always access the station's built-in locking device. Never leave your laptop unattended in the office, even for a few minutes. Do not place your laptop near exterior windows where it can be subjected to a "smash-and-grab" type of theft.

### Airport Safety

Keep your laptop in front of you and in sight at all times. Never check a laptop as baggage. Take extra care when passing through security checkpoints. Hold your laptop until you are ready to pass through the metal detector. Once you place it on the X-ray machine conveyor belt, do not let it out of your sight.

### Traceability

Engrave the company name/ID on all laptops. Record the laptop's identification number and keep it in a safe place.

### Storage in Cars

If you must leave your laptop in a car, lock it in the trunk. In sport utility vehicles, station wagons and vans, safeguard it out of sight. While driving, store the laptop behind the driver's seat, not on the front passenger's seat.

### In Addition...

Companies should educate employees about computer security to help control the expenses associated with such loss.

To encourage a positive loss prevention approach, companies can:

- Provide annual training and periodic reminders to maintain safety and security awareness.
- Communicate in writing its policies and procedures regarding employee accountability for the safety and security of laptops assigned to them.
- Require a signed copy of such a policy statement from all laptop users.
- Consider making loss of a laptop by gross negligence a performance issue.
- Encourage users to back up their file frequently.
- Guard proprietary information carefully - it is the lifeblood of the company.
- Maintain a current list of all laptop users, assigned equipment, serial numbers and software. Audit the list annually.
- Conduct both regularly scheduled and random inventory checks.
- Investigate all incidents of theft or accident and publicize the results.

Source: Chubb Group of Ins. Companies  
[www.chubb.com](http://www.chubb.com)



This portion was provided by Sander A. Kessler & Associates, Inc. of Santa Monica, CA, agent for NMA's Property and Liability Insurance.

## Back Belts – Do They Protect Workers?

Provided by Kari McLaughlin

Back injuries account for a large number of injuries and illnesses in the workplace and cost the economy thousands of dollars. In response to the increasing human and economic costs of back injuries, companies have tried using many devices to lessen the chance of back injury, either in conjunction with or in place of sound ergonomic programs. One such device is the "back belt."

Back belts, also called back supports or abdominal belts, resemble corsets and have been used by some companies in the belief that they prevent worker injury during lifting activities. However, those who rely on back belts to prevent injury should be aware of the lack of scientific evidence supporting their use.

The decision to wear a back belt is a choice and the National Institute for Occupational Safety and Health (NIOSH) believes that workers and employers should have the best available information to make that choice. So NIOSH conducted an extensive study and concluded that there was "insufficient scientific evidence" that wearing back belts protects workers from the risk of job-related back injury.

In their study, NIOSH found that the back injury rate among workers who wore back belts every day was "statistically insignificant" from those who didn't use them regularly. Even employees in the most strenuous types of jobs showed no real difference in either back pain complaints or injury claims when using back belts. A history of back injury was the strongest risk factor for predicting either a back injury claim or reported back pain among employees, regardless of back belt use.

NIOSH does not consider back belts to be personal protective equipment and does not recommend the use of back belts to prevent worker injury. They conclude that back belts do not lessen the hazards to workers who lift, push, pull, twist or bend repeatedly. The most effective way to minimize the likelihood of back injury is to develop and implement a comprehensive ergonomics program. The program should include:

- ergonomic assessment of jobs and workstations to make sure that work activity can be done without exceeding the physical capability and capacity of the worker,
- on-going, comprehensive training for all workers on lifting mechanics and techniques,
- a surveillance program to identify potential work-related musculoskeletal problems and,
- a medical management program.

On the basis of available evidence, how effective back belts are in reducing back injuries remains unproven. Although, some companies have reported workplace injury reduction from using back belts many of those companies also implemented training and ergonomic awareness programs. So, in fact, the reported injury reduction may be related to these or other factors.

There is also little scientific evidence that back belts remind workers to avoid awkward postures and heavy loads. For just as there is speculation that back belts may help, there is also concern that they may have potentially harmful effects associated with a false sense of security. Some research shows that workers believe they can lift more when wearing a back belt. If workers falsely believe they are protected by the belt, they may risk greater injury by lifting more weight that they would have without a belt.

Companies should not rely on back belts as a "cure all" for back injury, but should take preventative measures that reduce the risks of lifting tasks. The decision to use back belts should be a voluntary decision and not be a mandatory job requirement. NIOSH believes that the most effective way to prevent back injury is to implement an ergonomics program that focuses on redesigning the work environment and work tasks to reduce the hazards of lifting. □ © State Compensation Insurance Fund

This portion was provided by State Compensation Insurance Fund of Walnut Creek, CA, agent for NMA's Workers' Compensation Insurance Program. They may be reached at 800-533-6868.