



RICHARD L. BOND  
PRESIDENT & CHIEF  
EXECUTIVE OFFICER

June 5, 2008

Honorable John D. Dingell  
Chairman  
Committee on Energy and Commerce  
2125 Rayburn House Office Building  
Washington, D.C. 20515

Honorable Bart Stupak  
Chairman  
Subcommittee on Oversight and Investigations  
2125 Rayburn House Office Building  
Washington, D.C. 20515

Re: Tyson Foods, Inc.

Dear Chairmen Dingell and Stupak:

I am responding to your letter of May 8, 2008 relating to the review by the Committee on Energy and Commerce and its Subcommittee on Oversight and Investigations ("Committee") into the adequacy of efforts of the Food and Drug Administration ("FDA") and the U.S. Department of Agriculture's Food Safety and Inspection Service ("FSIS") to protect Americans from contaminated or otherwise unsafe foods. As an initial matter, we thank you for the additional time in which to respond and provide our comments. Our responses to the Committee's information requests are set forth in the Attachment to this letter. Although I thought it was important Tyson's response come from me, I believe you should know Dr. Richard Roop, our Senior Vice President of Science and Regulatory Affairs, played a significant role in gathering the information necessary to answer your questions and prepare this response. Dr. Roop, whose responsibilities include Food Safety, Quality Assurance, Laboratory Services and Animal Well Being, has been with Tyson since 1985.

The quality and safety of our products are a high priority for Tyson. We combine this commitment of excellence toward food quality and safety with major investments in state-of-the-art facilities, programs, and processes. This "gold standard" approach enables us to protect consumer health as we remain a leader in the production of meat and poultry protein based products.

Tyson's commitment to a "gold standard" means we implement programs and processes to ensure the quality and safety of our fresh meat products. We have in place a best-in-class Hazard Analysis and Critical Control Point ("HACCP") program. We also have cutting-edge cold chain management programs from slaughter to packaging that include critical control points to ensure products are safe and wholesome. For example, we carefully monitor and manage temperatures and the packaging, storage, and distribution of our products. We take great pride in these programs, as they represent our complete dedication to food safety and quality assurance. Complementing our efforts for safety are the USDA inspection personnel who carefully monitor our facilities to make sure our programs are sufficient and properly implemented.

Several state-of-the-art methods to prevent contamination and preserve beef safety are used within Tyson fresh meat facilities. Among the key practices are: hygienic hide and viscera removal; use of steam vacuums on key areas on the carcass; use of organic acid solutions on the surface of carcasses and parts; treating carcasses with a final thermal pasteurization; using antimicrobial carcass washes; quickly chilling all carcasses and parts; managing the cold chain from start to finish and finally; using extensive testing to verify our process controls work and the products are safe.

Three key food safety programs developed at Tyson to reduce pathogens in beef include the "Niche-Buster™," "Carcass Thermal Pasteurization" and "Tyson Total N60™" programs. These are all examples of effective and proactive food safety enhancements that were direct results of Tyson's commitment to risk-assessment, innovation and continuous improvement.

Niche-Buster™ targets microorganisms that could be harbored in niche environments, e.g. seams and cracks of the equipment or facilities. The program is employed in every Tyson beef slaughter and processing plant. A constant search and destroy effort is undertaken by our plant quality and sanitation experts to eliminate these harborage areas for bacteria. Originally for use in preventing *Listeria* contamination in ready-to-eat plants, Niche-Buster™ has proven to be extremely helpful in preventing *E. coli* O157:H7 cross-contamination in Tyson beef plants.

The "Carcass Thermal Pasteurization" technology blasts every beef carcass with sufficient heat to raise the surface temperature above 160F, which is an immediate kill point for pathogens on the carcass surface. It is highly effective against all pathogens, and is a validated Critical Control Point (CCP) in all of our beef slaughter plants' HACCP plans.

"Tyson Total N60™" is a nickname for a Tyson-developed, extremely comprehensive and sensitive testing system to prevent *E. coli* O157:H7 from contaminating ground beef. Tyson tests all raw beef components destined for ground beef production. The Tyson Total N60™ program provides a 95% or greater assurance of finding and eliminating *E. coli* O157:H7 from beef which is used for ground product. Tyson Total N60™ is among our most powerful food safety tools, as it augments the other antimicrobial programs. It is so powerful it has been adopted across the industry and recognized by the USDA. Tyson believes programs such as Tyson Total N60™ that find and remove O157:H7 containing meat from the ground beef supply chain, have contributed to the significant decline in incidence of *E. coli* O157:H7 contamination in the U.S. over the last several years.

Tyson has also been a pioneer in the effort to reduce the prevalence of *Listeria monocytogenes* in the processing environment and, in turn, the ready-to-eat (RTE) food product. We were one of the first in the industry to devise a comprehensive environmental surveillance program aimed at detecting and eradicating *Listeria monocytogenes*. This program, the Sentinel Site Program®, has been in place at Tyson since 1999 and is recognized by FSIS as a model program<sup>1</sup>.

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<sup>1</sup> Compliance Guidelines to Control *Listeria monocytogenes* in Post-Lethality Exposed Ready-to-Eat Meat and Poultry Products - [http://www.fsis.usda.gov/oppde/rdad/FRPubs/97-013F/LM\\_Rule\\_Compliance\\_Guidelines\\_May\\_2006.pdf](http://www.fsis.usda.gov/oppde/rdad/FRPubs/97-013F/LM_Rule_Compliance_Guidelines_May_2006.pdf)

Tyson establishments are required to conduct random weekly swabbing of product contact and non-product contact surfaces within the critical processing zone (RTE area). If the analysis returns a positive test result, corrective actions are taken with regard to sanitation and the sampling process is intensified. This intensified sampling consists of repeated swabbing of the site that was originally noted as positive as verification of the efficacy of corrective actions. If positive results continue to be noted from a product contact surface, the corrective actions are intensified and the HACCP plan is modified to include a critical control point for the sanitary status of the line. From this point, if positives continue to be identified we will ultimately test our finished products for the presence of *Listeria monocytogenes*. Finished product sampling is extremely robust and based upon ICMSF standards; we ensure 95% confidence that the pathogen will be detected if present.

Tyson shares the Committee's desire to provide the American consumer with safe and wholesome food. As part of that commitment, Tyson will continue to work with the USDA, FDA, and the Committee to provide the highest quality beef, chicken, and pork products to the American consumer.

Sincerely,

A handwritten signature in black ink, appearing to read "Phil Zand". The signature is fluid and cursive, with a large initial "P" and a long, sweeping underline.

Attachment

cc: Honorable Joe Barton, Ranking Member  
Committee on Energy and Commerce

Honorable John Shimkus, Ranking Member  
Subcommittee on Oversight and Investigations