National Cattlemen's Beef Association

Public Meeting to Discuss Foods Produced Using Animal Cell Culture Technology

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The National Cattlemen's Beef Association is the nation's oldest and largest national trade association for U.S. cattle producers. Producer-directed and consumer-focused, our top priority is to produce the safest, most nutritious and affordable beef products in the world. On behalf of NCBA and our Nation's beef producers, thank you for the opportunity to participate in today's meeting and share our perspectives regarding the proper model for regulatory oversight of meat food products derived from animal cell culture technology.

While NCBA applauds the pointed questions FDA has posed regarding risks, hazards and manufacturing methods of lab-grown meat food products, we believe that the more pertinent question that must first be answered is that of jurisdiction. NCBA respects the expertise of the FDA, however, the appropriate agency to ask the questions under discussion today is the agency that will ultimately have jurisdiction over lab-grown meat food products. While there may be some ongoing debate internally among FDA and USDA, NCBA believes that the law governing oversight of Meat Food Products is clear, and that any fair reading of the law places lab-grown meat food products within the primary jurisdiction of the USDA's Food Safety and Inspection Service.

Meat Food Products derived from animal cell culture fall within the statutory and regulatory definition of a meat food product laid forth under the Federal Meat Inspection Act (FMIA).

Beyond the statutory definition which is undeniably clear, one need only look at the Congressional Statement of Findings, which has guided U.S. Department of Agriculture oversight since FMIA was first enacted in 1906. It states:

"It is essential in the public interest that the health and welfare of consumers be protected by assuring that meat and meat food products distributed to them are wholesome, not adulterated, and properly marked, labeled and packaged."

By law, the definition of a Meat Food Product has two fundamental characteristics that direct that products derived from animal cell culture fall within the legal definition: first, meat food products are any article capable of use as human food, and second, they must be derived either wholly or in part from any meat or other portion of the carcass.

Cultured meat products meet this definition because they are derived from livestock species and the tissue necessary for production is part of the carcass of that animal.

Further, cultured meat products are specifically designed to be comparable to conventional meat food products in terms of safety, composition, nutritional profile, organoleptic qualities and function. The only difference between cultured and traditional meat food products is the process by which the animal parts are grown and harvested.

Current FSIS oversight stipulates that meat and meat food products undergo continuous inspection and that plants evaluate hazards and incorporate interventions at critical points to effectively control these hazards. NCBA recognizes that risks and hazards may differ depending on the method of production, yet the concept of Hazzard Analysis and Critical Control Points (HACCP) contained in USDA regulation of Meat Food Products would reasonably account for these differences.

From a food safety standpoint, it is critically important that all meat food products, regardless of the method of production are subject to the same set of stringent physical, biological and chemical standards; that establishments are subject to the same rules governing sanitation standard operating procedures; and that all establishments are subject to continuous inspection. These critical food safety oversight objectives can only be accomplished if USDA complies with the law and asserts jurisdiction over cultured meat food products.

It is important to note that there is a significant precedent which supports USDA jurisdiction, including several of FDA's previous decisions on agricultural technology. For example, when presented with the issue of cloned livestock, FDA

determined that “cloning should be thought of as an extension of the assisted reproductive technologies” and opted not to claim any role in oversight.

In conclusion, the current manner of raising and slaughtering livestock is one method of production but not a mandatory criterion in determining whether or not a product meets the definition of meat food product under FMIA. Interpreting this definition not to include cultured meat food products based on production method when the end product is structurally and functionally similar could contravene longstanding USDA and U.S. policy and precedent and would be a disservice to producers and consumers alike.