



October 31, 2012

Mr. David Weiner, Deputy Assistant
U.S. Trade Representative for Europe
Office of the U.S. Trade Representative
600 17th Street NW
Washington, DC 20508

RE: Docket Number USTR-2012-0028

Submitted electronically via regulations.gov

Dear Mr. Weiner:

On behalf of the non-profit consumer organization Food & Water Watch, I welcome this opportunity to comment on the docket entitled, "Promoting U.S. EC Regulatory Compatibility" (77 Fed. Reg. 59702-59703).

To be frank, we are very skeptical of this effort. We learned very late in the process of the joint U.S.-Canada effort to deregulate consumer protections between those two countries under the guise of the euphemistically named "Beyond the Border Initiative." That effort was not transparent and did not involve all stakeholders until specific deregulatory proposals were unveiled in late January 2012. The so-called public meetings on January 30 and 31 on the various proposals were held under a gag order. We spoke at the public meeting against certain deregulatory proposals as they impacted meat and poultry food safety. We also filed written comments against the proposals.

Our admonitions fell on deaf ears until there were major beef recalls involving 2.5 million pounds of beef products imported from Canada that were contaminated with *E. coli* 0157:H7.¹ Those recalls came within days of a pilot project being implemented to deregulate border inspection of imported meat and poultry products from Canada. It was the action taken by a U.S. border inspection station that triggered the initial investigation into the food safety practices of a major Canadian beef exporter at the center of the recalls. While there seems to be a brief hiatus in the implementation of this pilot project, unfortunately, nothing has been forthcoming to indicate that it will be completely abandoned. As much as officials in this Administration do not like to hear it, it is another example of trade trumping food safety.

¹ http://www.fsis.usda.gov/FSIS_Recalls/PHA_XL_Foods/index.asp

We urge that any effort involving the EC proceed slowly and be very transparent so that all stakeholders have an opportunity to participate in the process from its very inception. While we can learn from the Europeans on their food safety regulatory regime, it is an area that requires deliberate analysis and long-term discussions before harmonization can take place.

Should you have any questions regarding our comments, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. Hauter', with a long horizontal flourish extending to the right.

Wenonah Hauter
Executive Director