

## **Regulatory Alert: FSIS Releases Final Regulation on Labeling of Mechanically Tenderized Beef**

**May 15, 2015**

On May 13, 2015, the Food Safety and Inspection Service (FSIS) of the U.S. Department of Agriculture released a [final rule](#) (the “Final Rule”) imposing new labeling requirements for raw and partially-cooked needle and blade tenderized beef, including beef products injected with a marinade or solution. The labeling requirements do not apply if the products are to be fully cooked or receive another full lethality treatment at an official establishment. Compliance will be required on May 17, 2016. Under the Final Rule, the product names of the affected products will have to include the descriptive designation “mechanically tenderized,” or “blade tenderized,” or “needle tenderized” as appropriate and an accurate description of the beef component.

### **Summary Q&A**

#### **When is compliance required with the Final Rule?**

May 17, 2016.

#### **What products are affected by the Final Rule?**

Beef products that are needle or blade tenderized, including beef products injected with a marinade or solution, unless they are destined to be fully cooked or to receive another full lethality treatment at an official establishment.

#### **What descriptive designation must accompany the product name?**

The term “mechanically tenderized.” Or “needle tenderized” or “blade tenderized” as appropriate.

#### **How must the descriptive designation appear?**

The product name must appear in a single easy-to-read type style and color and on a single-color contrasting background. The print may appear in upper and lower case letters with the lower case letters not smaller than 1/3 the size of the largest letter. The descriptive designation may be above,

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below, or next to the rest of the product name (without intervening text or graphics) on the principal display panel.

**Must needle or blade tenderized products be labeled with cooking instructions?**

Yes. Raw or partially-cooked needle or blade tenderized beef products destined for household consumers, hotels, restaurants, or similar institutions must contain validated cooking instructions. The validated cooking instructions must include the cooking method, provide information that these products need to be cooked to a specific minimum internal temperature, provide information whether the product needs to be held for a specified time at that temperature or higher before consumption to ensure that potential pathogens are destroyed throughout the product, and include a statement that the internal temperature should be measured by a thermometer. The cooking instructions may appear anywhere on the label.

**Where can I find examples of the cooking instructions I may use on needle and blade tenderized beef products?**

The FSIS Compliance Guideline for Validating Cooking Instructions for Mechanically Tenderized Beef 2015 found [here](#).

**Where can I find examples of compliant labels?**

The Final Rule contains examples of compliant labels. These examples are pasted on the following page.

For more information please contact Erik Lieberman at [erl1@liebermanplc.com](mailto:erl1@liebermanplc.com) or 202.830.0300.

**Compliant Label Examples Provided by FSIS**

