



Michigan Meat Association

Newsletter

October 2011

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Are You Still Doing Business on a Handshake? Getting it in Writing Can Save Time and Money

By Steven A. Kronenberg



**NICHE MEAT PROCESSOR
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Are you still doing business on a handshake? Written agreements help avoid disputes with your business associates, employees, and customers, so you can focus on running your business and minimizing the risk of expensive and time-consuming litigation.

No matter how much you trust someone, misunderstandings are inevitable, take time away from running your business, and hurt the bottom line. People innocently remember “facts” differently.

Memories fade. Doing business can complicate relationships between friends or family and make it more difficult to resolve disputes amicably.

Written Agreements Help Business Associates Understand Each Other's Expectations

Written agreements help everyone understand expectations before disagreements arise. If you rely on an oral agreement to manage your business, you may be surprised to learn that many states have laws governing the relationship in the absence of something written. Do you know what conditions those laws impose? Are they consistent with everyone's understanding? (If not, you may be able to change something by written agreement.)

Would you and your business associates answer these questions the same way?

Who owns the business, including its equipment, licenses, and brand names? If you manufacture processed meats like sausage, who owns the “secret recipe”? If that person leaves, can the business still use it? Under what conditions?

Do “big” decisions require consensus or majority vote? Can just one person make “small” decisions? Who decides what belongs in each category?

Has anyone lent money to the business? If so, how will it be repaid? At what interest rate? When?

Suppose one of you is unable to work or chooses a different career in five years?

Written Agreements Help Define Employee Rights and Responsibilities

Written agreements specifying job duties, compensation, benefits, and related issues will help employees understand your expectations. They also help measure productivity, so you can better predict costs and profits. Employees can determine they are doing their job effectively, boosting morale. If conflicts arise, written agreements signed at the beginning of employment can help employees understand the basis for your decisions (even if they disagree), minimizing the risk of litigation.

Continued on page 6.

2011

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Outstanding Service Award and Supplier of the Year Award

Nominations Due January 1, 2012

The nomination form for the Michigan Meat Association Outstanding Service Award and Supplier of the Year Award are now available online at www.michiganmeatassociation.org. Please send your completed nomination form to Dru Montri by January 1, 2012.

Research Debunks Hot Dog-Cancer Link

By Michael Fielding on 10/27/2011

In the 33 years since the USDA mandated that the industry offset the amount of nitrites in hot dogs with ascorbate (vitamin C) or erythorbate, the rate of colon cancer has dropped sharply. But the overall incidence of the cancer has barely budged.

This, according to 2011 data presented Monday at the 10th American Association for Cancer Research (AACR) International Conference on Frontiers in Cancer Prevention Research, held this week in Boston.

The research found that N-nitroso compounds — potentially carcinogenic compounds whose negative effects may be reduced by the addition of ascorbate or erythorbate — may not be linked to the development of colon cancer.

If the level of N-nitroso compounds was an important cause of colon cancer, “the drop in N-nitroso compound content caused by the mandated changes in processed meat should have been accompanied by a drop in the incidence of colon cancer,” said Sidney S. Mirvish, Ph.D., professor emeritus at the Eppley Institute for Research in Cancer and Allied Diseases at the University of Nebraska Medical Center in Omaha.

In fact, since the mandated changes were introduced in 1978, the death rate for colon cancer has dropped sharply, “due mostly to earlier detection and better treatment of this disease,” he added.

The findings are similar to those of Kansas State University researchers, who reported in March 2011 that processed meats such as hot dogs and deli meats are generally free of another type of carcinogenic compounds.

The study, which appeared in *Meat Science*, a journal published by the American Meat Science Association, sought to determine levels of heterocyclic amines, or HCAs, in processed meats. HCAs are carcinogenic compounds found in meat that’s fried, grilled or cooked at high temperatures. Other studies have shown that people who eat large amounts of HCAs in meat products have higher risk of stomach, colon and breast cancers.

FSIS Nutritional Labeling Webinars: Nov. 8, Dec. 13

On Nov. 8 and Dec. 13, FSIS will give two more webinars on the new nutritional labeling rules for meat and poultry.

To access the webinars, log on to <https://connect16.uc.att.com/usda/meet/?ExEventID=85277207> and follow on-screen instructions. For questions, contact Kristin Goodwin at (301) 504- 0878 or kristin.goodwin@fsis.usda.gov.

Michigan Meat Association
Welcomes its New
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David Chapman Agency

It All Adds Up

By Tracy J. Ostrander, David Chapman Agency

It can add up quickly! Have you every stopped to consider how many new pieces of equipment and miscellaneous items you have purchased over the year(s) to help your business operate more efficiently? Over the year you could have acquired equipment that adds up to a lot should you have to replace it all at once. Whether you purchased new or used, the ramifications of having to go without these items that you once had can be hard to imagine. Should that big loss occur will you get an adjustment that meets the needs of your present business operations?

We often inventory our products that we sell to others however more often than not we do not take the take the much needed time to count our own business operation items such as:

- ◆ Molds, Paddles, Saws, Hooks, Thermometers
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A good time to accomplish this is at the annual review of your insurance or when you take inventory for your year end. Most Managers or Business Owners are surprised how much they have acquired and how it would change the way they do business if they had a loss. An experienced insurance agent can assist you in accomplishing this task so that you won't be surprised at the time of loss.

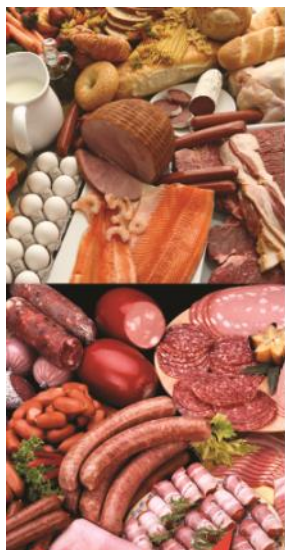
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Networking opportunities at the annual convention

Discounts for courses and educational offerings

Promotion of meat products at State functions

Opportunity to compete in the Cured Meat Competition

Support MSU meat program for education of future meat industry professionals

MMA Membership Directory that includes processor and supplier contact information

MMA Monthly Newsletter of activities, pertinent industry news, membership news, AAMP news, convention information, and classified listings

Are You Still Doing Business on a Handshake?

Continued from page 1.

Would you and your employees answer these questions the same way?

- ◆ What are their job duties? Will they change as your business grows? How will employees be notified of change(s)?
- ◆ Are there opportunities for promotion or bonuses? If so, under what conditions?
- ◆ If disciplining or terminating an employee is necessary, does written documentation support this decision?

An employee manual may also reduce litigation risks by preventing problems before they start. For example, workers are less likely to engage in racial harassment if, at the beginning of their employment, they agree to follow your written policy prohibiting it.

Written Agreements Help Customers Feel they Got a Fair Deal

Written terms and conditions of sale help buyers understand what is being sold for what price, so they feel confident doing business with you. This is especially important for perishable goods, so disputes can be resolved while they may still be saleable.

Would you and your customers answer these questions the same way?

- ◆ Are the quality, quantity, and packaging of the goods consistent with how they were described before sale? If not, how will discrepancies be resolved?
- ◆ Did you guarantee a delivery date? Were there any exceptions, such as for factors outside of your control? What happens if delivery is delayed?
- ◆ Understanding “the customer is always right,” how can your business protect itself from totally unreasonable demands?

Written Agreements Minimize the Risk of Costly and Time-Consuming Litigation

It is usually simpler and cheaper to *prevent* disagreements than resolve them after they happen. Written agreements between you and your business associates, employees, and customers help everyone understand their rights and responsibilities and make the most of these relationships, saving time and money that can be better spent on running your business.

Steven Kronenberg is an attorney in the San Francisco office of Murphy, Pearson, Bradley & Feeney, where he offers outside general counsel services for the food processing, grocery, and restaurant industries. He is also the author of foodlawblog.com.

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In Brief

USDA Updates Food Price Inflation Forecasts

USDA this month updated its monthly projections of consumer price increases for various food items, including poultry and meat. Topping the inflation list is beef and veal. Prices are expected to have risen by 8 percent to 9 percent by the end of 2011 and are expected to rise an additional 4.5 percent to 5.5 percent in 2012.

Overall, all food is expected to increase 3.5 to 4.5 percent in 2011 and 2.5 to 3.5 percent in 2012. Food at home is expected to increase 4.0 to 5.0 percent in 2011 and 3.0 to 4.0 percent in 2012. When categorized together, meats, poultry and fish are expected to increase 5.5 to 6.5 percent in 2011 and 3.5 to 4.5 percent in 2012.

See www.meatingplace.com for additional information.

Animal Traceability Comment Period Extended

The USDA has extended by 30 days the deadline for public comments on its proposed rule for mandatory animal traceability. The new deadline is December 9, 2011. The proposed rule requires animal tracking, even without clear and documented disease threats, and has come under fire from small producers on charges that it would benefit large corporations.

See www.aamp.com (the September 1, 2011, issue of Capitol Line-up) or regulations.gov.

MSU CANR AutumnFest 2011

AutumnFest celebrates the MSU College of Agriculture and Natural Resources as well as the agriculture and natural resources industries in Michigan. It also raises money for CANR student scholarships, student activities and alumni programming. This year's event is scheduled for November 19, three and a half hours prior to the MSU vs. Indiana football game.

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Member Rates:

1/4 Page \$25/issue or \$150/year

1/2 Page \$35/issue or \$250/year

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Non-member Rates:

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Calendar of Events

November 8 and December 13	FSIS Nutritional Labeling Webinars (see page 3)
November 19	MSU CANR AutumnFest (see page 8)
January 1, 2012	Nominations Due for Outstanding Service Award and Supplier of the Year Award (see page 3)
January 18, 2012	MMA Board Meeting, Mount Pleasant, MI
March 9-10, 2012	2012 MMA Convention, Okemos, MI
July 26-28, 2012	2012 AAMP Convention, St. Paul, MN

The Michigan Meat Association supports its members and the meat industry by providing timely information exchange and opportunities to enhance productivity and technology

www.michiganmeatassociation.org

Michigan Meat Association
7539 Clark Road
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