



130 Slater Street, Suite 1025  
Ottawa, Ontario K1P 6E2  
Tel: 613-236-9426  
Fax: 613-563-2701  
E-mail: lennox@cantruck.com

December 24, 2003

Dockets Management Branch (HFA-305)  
Food and Drug Administration  
1061-5630 Fishers Lane  
Rockville, Maryland  
20852

**RE: Docket 02N-0276, RIN 0910-AC40 – Registration of Food Facilities**

Dear sir or madam:

I am writing on behalf of the Canadian Trucking Alliance (CTA) in response to the request for comments on the above-noted interim final rule, which was published in the Federal Register on October 10, 2003.

By way of background, the CTA is a federation of Canada's regional and provincial trucking associations formed to represent the views of the industry on national and international policy issues. CTA member associations include:

- ?? Atlantic Provinces Trucking Association
- ?? Quebec Trucking Association
- ?? Ontario Trucking Association
- ?? Manitoba Trucking Association
- ?? Saskatchewan Trucking Association
- ?? Alberta Motor Transport Association
- ?? British Columbia Trucking Association

The associations comprising the CTA federation collectively represent some 4,000 companies across Canada. The Canadian trucking industry as a whole generates over \$50 billion per year in freight revenue, and in 2002 carried about two-thirds (by value) of Canada's \$564 billion trade with the United States, including most of the food shipped across the border. Further information on the CTA, and the importance of Canada-US trade, can be found at [www.cantruck.com](http://www.cantruck.com).

It is fair to say that since publication of the interim final rule on registration of food facilities in October, there has been much confusion in the trucking industry over the extent to which trucking operations must comply. CTA's understanding, as of today, is that:

- ?? *Trucks* do not have to be registered
- ?? *Truck terminals*, where food may be held for short periods of time, do have to be registered

On the surface this would appear to be a fairly straightforward requirement to comply with, but unfortunately it doesn't account for some of the complexities which exist in the trucking industry. Since October 10<sup>th</sup>, carriers have been seeking greater clarity and direction from FDA in situations such as the following:

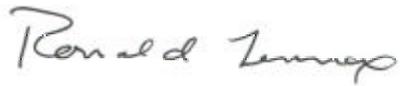
- ?? A carrier picks up bulk flour at a Canadian mill, and holds it in its yard until the order arrives to dispatch it to a US bakery. Must the carrier's yard be registered as a facility, even though the product never leaves its truck?

?? A truckload carrier receives several pallets of food from one of its Canadian clients. It chooses to transfer the freight to a less-than-truckload carrier at its own terminal. Must the truckload carrier register this terminal?

No doubt there are other examples as well. The point CTA wishes to convey is simply that carriers remain confused about the scope of the registration requirements, and urges FDA to provide clear guidance to the industry, as well as to those responsible for enforcing the rule.

CTA appreciates the opportunity to comment on this interim final rule. We would expect to file further comments next March once the industry has had more experience working with FDA's registration requirements.

Sincerely,

A handwritten signature in cursive script that reads "Ronald Lennox".

Ronald Lennox  
Vice President, Regulatory Affairs