

J. R. SHORT MILLING COMPANY

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April 3, 2003

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

Reference: Docket N.02N0278,
Proposed Rule Making
"Prior Notice of Imported Food
Under the Public Health Security
& Bio-Terrorism Preparedness
Response Act of 2002"

To Whom it May Concern:

J.R. Short Milling Company, an Illinois corporation, has major concern on the above rule making and appreciates the opportunity to make comments.

J.R. Short Milling Company is one of the largest dry corn mill companies in the country shipping products worldwide. We have a division in Toronto, Ontario Canada where products are shipped from our plant in Illinois to Toronto where the products are further processed and shipped back to the United States.

The major concerns the J.R. Short Milling Company has in on the prior notice of Imported Foods Under the Public Health Security and Bio-terrorism Preparedness Response Act of 2002 is as follows:

The exporter should be allowed to submit prior notice. If the exporter is excluded from the list of those permitted to submit prior notice, the FDA is making it more difficult and time consuming for companies to comply with the prior notice regulation. Our Canadian division, the exporter, will have direct access to the required information since much of it is already required for customs notification and therefore they would be able to more quickly and effectively execute the prior notice. This would greatly improve the movement of product through the border

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from Canada to the United States while still meeting the requirements of the prior notice of imported foods.

The proposed regulation does not take into consideration several factors when establishing the time period for submission of prior notice. Some factors not considered are the effect on commerce, the modes of transportation, and locations of ports.

The grower "if known" requirement needs clarification to address bulk grain purchasing which as a dry corn mill we do on a daily basis. The practice of mixing and blending grain is common in the grain and handling industry. The facilities which we purchase our grain from may in some cases possess names and locations of growers that it purchases grain from, but it does not maintain records on which farmers grains were sold to what customer.

The J.R. Short Milling Company strongly suggests that the Food & Drug Administration take these issues into consideration in developing a prior notice system that is both effective and will continue to facilitate international trade.

Sincerely yours,

A handwritten signature in black ink, appearing to read "R. Wilkinson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Raleigh J. Wilkinson,
President