



JUN 12 2002

2210 '02 JUN 27 P13

Mr. Kim S. Klotz
Food Service Sales Manager
New Era Canning Company
4856 First Street
Post Office Box 68
New Era, Michigan 49446

Re: 21 CFR 130.17(i) - Participation in Extended Market Test of "Canned Green Beans" containing Added Zinc Chloride under Docket No.

Dear Mr. Klotz:

This is to acknowledge your letters of September 26, 2001, December 21, 2001, March 28, 2002, and April 30, 2002, notifying the Food and Drug Administration (FDA) of your acceptance of the invitation, set forth in the FEDERAL REGISTER of August 15, 1988 (53 FR 30716); Docket No. 86P-0510, to participate in the extended temporary market testing of "Canned Green Beans" containing added zinc chloride under the conditions published in the notice.

The test product "New Era Verigreen Cut Green Beans" deviates from the U.S. standard of identity for Canned Green Beans (21 CFR 155.120) in that it will contain added zinc chloride in the packing medium in an amount reasonably necessary to retain the green color of the test product (up to 75 parts per million of zinc in the finished food). In all other respects, "New Era Verigreen Cut Green Beans" would conform to the standard for Canned Green Beans and Canned Wax Beans.

Relying on the representations made in the application, we are hereby granting permission to make interstate shipments, for market testing purposes, of 224,400 kilograms (495,924 pounds) of the test product. The test product will be manufactured at New Era Canning Company, 4856 First Street, New Era, Michigan, and distributed nationwide.

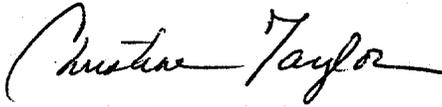
The draft labels that you submitted for the test food are acceptable for the purpose of this market test. Finished labels must be submitted to the Team Leader, Conventional Foods Team, Division of Standards and Labeling Regulations, Office of Nutritional Products, Labeling and Dietary Supplements, Center for Food Safety and Applied Nutrition (HFS-822), before the product is shipped in interstate commerce. Each of the ingredients used in the food must be declared on the label as required by the applicable sections of 21CFR Part 101.

86P-0510

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While this permit is in effect, FDA will refrain from recommending regulatory action against shipments of "New Era Verigreen Cut Green Beans" covered by this permit on the grounds that the food fails to comply with the standard of identity for Canned Green Beans (21 CFR 155.120).

Sincerely yours,

A handwritten signature in cursive script that reads "Christine Taylor". The signature is written in black ink and is positioned above the printed name and title.

Christine L. Taylor, Ph.D.

Director

Office of Nutritional Products, Labeling
and Dietary Supplements

Center for Food Safety
and Applied Nutrition



NEW ERA
S I N C E 1 9 1 0

April 30, 2002

Cathlina Hockensmith
Food and Drug Administration
5100 Paint Branch Parkway
HFS-822
College Park, MD 20740-3835

Dear Cathlina:

Thank you for your input on the mock label for the Veri-green cut green bean in the retail size can.

The enclosed label is a revision with the change you requested. Please let me know if there is anything else I can do to help complete the process.

Sincerely,

Kim Klotz
Food Service Sales Manager
NEW ERA CANNING COMPANY

NEW ERA

S I N C E 1 9 1 0



VEGETABLE CUT

Green Beans

NET WT. 15 OZ. (425 g)

Nutrition Facts

Serving Size 1/2 cup (120g)
Servings Per Container about 3.5

Amount Per Serving

Calories 20 Calories from Fat 0

% Daily Value*

Total Fat 0g 0%

Saturated Fat 0g 0%

Cholesterol 0mg 0%

Sodium 370mg 15%

Total Carbohydrate 4g 1%

Dietary Fiber 2g 8%

Sugars 2g

Protein less than 1g

Vitamin A 4% • Vitamin C 4%

Calcium 2% • Iron 0%

*Percent Daily Values are based on a 2,000 calorie diet.

INGREDIENTS: GREEN BEANS, WATER, SALT, ZINC CHLORIDE (FOR STABILIZATION OF COLOR).

DISTRIBUTED BY NEW ERA CANNING CO.
NEW ERA, MI 49446

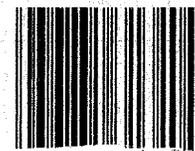
NEW ERA

Green Beans

Your Satisfaction Is Important To Us.

If you have any questions or comments,
please call us toll free at
1-800-282-9007 Monday through Friday,
9:00 A.M. to 4:00 P.M. E.T.

Please have the code on the end of the
can available when you call.





NEW ERA
S I N C E 1 9 1 0

March 28, 2002

Cathlina Hockensmith
Food and Drug Administration
5100 Paint Branch Parkway
HFS-822
College Park, MD 20740-3835

Dear Cathlina:

Thank you for your time and consideration in our pursuit of a Temporary Marketing Permit to process Veri-green canned green beans.

New Era Canning Company accepts the Food and Drug Administration's invitation to participate in the extended market testing of Veri-green canned green beans awarded to Truitt Brothers on August 15, 1985.

Enclosed are two mock labels for the Veri-green can sizes we are asking to pack. The #10 (large) label shows 2.89 kg for the net weight. The #300 (smaller) label shows 425 g for the net weight.

Please feel free to contact me with any additional questions or concerns.

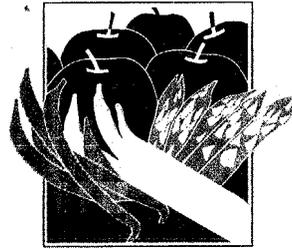
Sincerely,

Mr. Kim Klotz
Food Service Sales Manager
NEW ERA CANNING COMPANY

Enc. (2)

NEW ERA

S I N C E 1 9 1 0



veri-green

Cut Green Beans

NET WT. 102 OZ. (6 LB. 6 OZ.) 2.89 kg

Nutrition Facts

Serving Size 1/2 cup (120g)
Servings Per Container about 24

Amount Per Serving		Calories from Fat 0	
Calories 20		% Daily Value*	
Total Fat 0g			0%
Saturated Fat 0g			0%
Cholesterol 0mg			0%
Sodium 400mg			17%
Total Carbohydrate 4g			1%
Dietary Fiber 1g			4%
Sugars 2g			
Protein less than 1g			
Vitamin A 4%		Vitamin C 0%	
Calcium 2%		Iron 0%	
		Zinc 35%	

*Percent Daily Values are based on a 2,000 calorie diet. Your daily values may be higher or lower depending on your calorie needs.

	Calories	2,000	2,500
Total Fat	Less than	65g	80g
Saturated Fat	Less than	20g	25g
Cholesterol	Less than	300mg	300mg
Sodium	Less than	2,400mg	2,400mg
Total Carbohydrate		300g	375g
Dietary Fiber		25g	30g

Calories per gram
Fat 9 • Carbohydrate 4 • Protein 4

INGREDIENTS: CUT GREEN BEANS, WATER, SALT AND ZINC CHLORIDE FOR STABILIZATION OF COLOR.

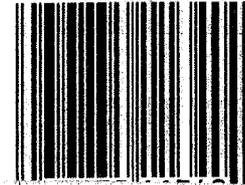
DISTRIBUTED BY
NEW ERA CANNING CO.
NEW ERA, MI 49446

NEW ERA

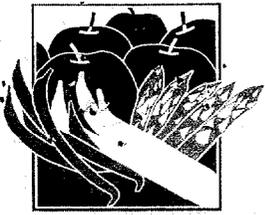
Veri-green

Cut Green Beans

Your Satisfaction Is Important To Us.
If you have any questions or comments,
please call us toll free at
1-800-282-9007 Monday through Friday,
9:00 A.M. to 4:00 P.M. E.T.
Please have the code on the end of the
can available when you call.



FDC-MI 91176



NEW ERA
S I N C E 1 9 1 0

December 21, 2001

Geraldain June
Food and Drug Administration
5100 Paint Branch Parkway
College Park, MD 70740

Dear Geraldain:

New Era Canning Company has submitted an application for a temporary marketing permit for Verigreen Cut Green Beans with the Food and Drug Administration. I was contacted recently and asked to submit the enclosed mock label also.

Please feel free to contact me if you have any additional needs.

Sincerely,

Kim Klotz
Food Service Sales Manager

Enc. (1)



NEW ERA
S I N C E 1 9 1 0

78253

September 26, 2001

Chief
Food Standards Branch
Office of Nutritional Products, Labeling, and Dietary Supplements Center for Food
Safety and Applied Nutrition (HFS-820),
Food and Drug Administration
200 C. St. SW
Washington, DC 20204

Dear Sir:

In accordance with the provisions and guidelines outlined in the 21 CFR §130.17, New Era Canning Company is applying for a Temporary Marketing Permit for the Verigreen process for canned green beans.

1. New Era Canning Company is a privately held company solely located at 4856 First Street, New Era, Michigan.
2. Established in 1910, New Era Canning Company processes fruit and vegetable products for retail and food service customers throughout the continental United States. New Era Canning Company has produced cut green beans since 1916 and has developed market interest for sales of the Verigreen canned green bean.
3. Canned green beans are a food with a standard of identity at 21 CFR §155.120. Cut green beans are an optional style of pack within this standard at 21 CFR §155.120(a)(2)(iii)(c).
4. The product would deviate from the standard only through the addition of the chemical Zinc Chloride to the packing medium.
5. New Era believes the resulting product would be wholesome and nondeleterious, as Zinc Chloride is Generally Recognized as Safe as a nutrient in 21 CFR § 182.8985. The amount of zinc in the finished product would not exceed 75 ppm.
6. The amount of Zinc Chloride would not exceed .2% by weight with the amount of zinc in the finished product not to exceed 75 ppm. No other ingredient named in the

NEW ERA CANNING COMPANY
4856 FIRST STREET P.O. BOX 68
NEW ERA, MICHIGAN 49446
(616) 861-2151 ■ FAX (616) 861-4068

standard would be added or eliminated. The new name of the product under test would be Verigreen Cut Green Beans. The additive Zinc Chloride is commonly known in the food industry as a food ingredient and is not a deleterious substance.

7. The addition of Zinc Chloride to canned green beans protects the tissue of the green bean during the process and acts as a brightening and firming agent by reducing oxidation. This process produces a darker, more natural looking bean as compared to fresh green beans.

8. Adding a small amount of Zinc Chloride to the packing media has proved to be advantageous in the color enhancement of canned green beans from a consumer standpoint. The consumer views the color and texture of the Verigreen as being more like fresh green beans. Consumers have readily accepted the Verigreen canned green bean product and market demand appears to be growing. It is our desire to participate in, and share this market with the other canned green bean producers of this product.

New Era Canning Company has not previously investigated this deviation from the canned green bean standard, and thus has no data by which to support a petition to amend the standard.

9. The proposed label to be used on the food to be marketed under this permit is attached in draft form. The label conforms in all respects to the general requirements of 21 CFR Part 101 – Food labeling and provides the means whereby the consumer can distinguish between the Verigreen Cut Green Bean with Zinc Chloride added and our regular Cut Green Bean that complies with the standard.

10. New Era Canning Company is asking for an open-ended permit beyond the 15-month guideline period. This request is in fact due to the already existing production, market, and demand for this product.

11. Estimated production for the first year of the Temporary Marketing Permit would be approximately 10,000 cases of 6/#10 cans for the food service market and 5,000 cases of 24/#300 cans for the retail market. Sales and production are expected to grow in the future.

12. Sales by New Era Canning Company for this product would be in the Continental United States including the State of Michigan, where we are located.

13. This product will be manufactured at New Era Canning Company, 4856 First Street, New Era, Michigan.

14. This food has been distributed, and will be distributed, in the State of Michigan.

15. Not applicable.

16. Our customer base for this product would be mainly in the private label food service and retail markets that generally distribute and sell within the Continental United States. Because their business is in several states with several locations, it will become necessary for New Era Canning Company to conduct commerce outside the State of Michigan for this product.

Any questions or additional information needed to complete this application should be directed toward myself. I may be reached by phone at (800) 282-9007 ext. 104.

Thank you for your consideration.

Sincerely,



Mr. Kim S. Klotz
Food Service Sales Manager
New Era Canning Company
(800) 282-9007 ext. 104
kklotz@neweracanningcompany.com