

U. S. FOOD AND DRUG ADMINISTRATION  
DEPARTMENT OF HEALTH AND HUMAN SERVICES

[Docket No. 98N-1038]

**Irradiation in the Production, Processing, and Handling of Food**

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The Executive Board of the Association of Food and Drug Officials (hereinafter referred to as AFDO) is pleased to offer its comments to the U. S. Food and Drug Administration (FDA) relative to its proposed rule for labeling irradiated foods. AFDO has also submitted comments to the U. S. Department of Agriculture (USDA), Food Safety and Inspection Service (FSIS) concerning their proposal to amend meat inspection regulations to permit the use of ionizing radiation. We are attaching those comments to this document, as we believe they are very much related.

AFDO is a strong supporter of food irradiation and believes it is a proactive response to the escalating incidence of foodborne illness. We further believe in choices for the consuming public and support clear labeling requirements for foods treated with ionizing radiation. AFDO responses to specific FDA questions listed in the Federal Register are as follows:

**Question 1 - Does the current radiation disclosure statement convey meaningful information to consumers in a truthful and nonmisleading manner?**

AFDO believes that label statements on foods exposed to ionizing radiation should convey the rationale for having the food irradiated, i.e., "irradiated for safety," "irradiated to destroy harmful bacteria," etc. The reason for the use of ionizing radiation needs to be conveyed to the consumer. Just to say a food has been irradiated may be misleading because the statement alone does not convey the reason for the treatment.

**Question 2 - How do consumers perceive the current radiation disclosure statement -- as informational, as a warning, or as something else?**

Some consumers probably do not understand what the disclosure statement means, or what "irradiation" means; while others may construe this to be some kind of warning.

**Question 5 - Would consumers be misled by the absence of a radiation disclosure statement in the labeling of irradiated foods? Are consumers misled by the presence of such a statement?**

It would be misleading not to disclose the fact, since there is enough scientific evidence to show that the food has been changed in certain ways, albeit not necessarily in a harmful way. Since the law has required the disclosure for quite some time, it could be considered misleading to remove any evidence that the food has been irradiated without replacing the current wording with something more meaningful, as previously suggested.

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**Question 6 - With respect to foods containing irradiated ingredients, are consumers misled by the absence of a radiation disclosure statement? Would consumers be misled by the presence of such a statement?**

If the original ingredient were irradiated to kill harmful bacteria, and the ingredient is then mixed with other ingredients to form a new food, which could have been susceptible to additional contaminating bacteria, the "new" food should not be labeled in any way regarding irradiation.

**Question 7 - What is the level of direct consumer experience with irradiated foods that are labeled as such?**

It is quite evident to everyone concerned that the food processing industry, and retailers in particular, are concerned regarding the use of irradiation and the purchase of irradiated food for their markets. If the labeling were put into proper perspective, AFDO believes more companies would use the technology and purchase the products.

**Question 13 - Should any requirement for a radiation disclosure statement expire at a specified date in the future?**

Perhaps there should be an expiration date, at which time government again reviews the extent the technology has been used, and the level of acceptance. If the acceptable level is high at that time, then there would be no reason to discontinue the use. If the level of acceptability to the public is still low, then perhaps the use should be discontinued.

AFDO commends FDA for their leadership in this area and appreciates the opportunity to comment on this proposal.

Submitted by: Joseph Corby, President  
Association of Food and Drug Officials

(April 13, 1999)

Attachment

U. S. DEPARTMENT OF AGRICULTURE  
FOOD SAFETY AND INSPECTION SERVICE  
9 CFR PARTS 317, 318, AND 381

[Docket No. 97-076 P]

**Irradiation of Meat and Meat Products**

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The Executive Board of the Association of Food and Drug Officials (hereinafter referred to as AFDO) is pleased to offer comments on the Food Safety and Inspection Service (FSIS) proposal to amend meat inspection regulations to permit the use of ionizing radiation. This treatment, to be applied to refrigerated or frozen uncooked meat, meat by-products, certain other meat food products, and poultry is, in our view, long overdue and proper. AFDO's position on irradiated foods is clear. We support this technology as a sensible response to foodborne pathogens and as a proactive measure to reducing the escalating incidence of foodborne illness. AFDO commends FSIS for its efforts.

AFDO agrees with FSIS, that these regulations must be consistent with the Food and Drug Administration's regulations on irradiation. An area of conflict may be in the proposed regulations which require the disclosure in the ingredient statement that an ingredient has been irradiated. FDA does not permit the use of descriptive terms in ingredient statements unless they identify a particular process which differentiates one type of an ingredient from another (i.e., dehydrated onions versus "onions"). The word "fresh," however, may not be used as a modifier in an ingredient statement. FDA also does not require food to be differentiated as "chopped," "diced," etc. in the ingredient statement.

Since the physical properties of an irradiated meat or poultry ingredient have not been significantly altered by irradiation alone, FSIS should not require this disclosure. Further, if the ingredient had been irradiated to destroy pathogenic bacteria, the results of that irradiation may have been compromised by adding the ingredient to another commodity, then packaging.

AFDO does support the use of performance standards as a means of qualifying irradiation labeling statements, such as "*irradiated to kill harmful bacteria,*" or "*free of E. coli,*" if the firm has records to substantiate the claim. Such labeling is apt to be very consumer friendly.

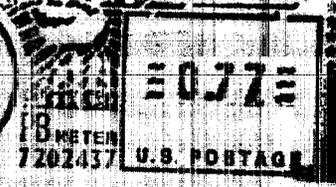
While AFDO's support of irradiation of foods is unwavering, we do not consider it a "cure-all" for foodborne illness. The process is only an element of an establishment's overall food safety system which must include SSOPs and a validated HACCP program. Caution must be given to products anaerobically packed and marketed unfrozen due to the lack of spore destruction by ionizing radiation at typical dosages applied. If this processing technology eliminates all vegetative cells, remaining spores will have zero competitive factors and may flourish in circumstances where temperature abuse occurs.

It is AFDO's view that leadership is now needed in the fight against foodborne illness. FSIS is demonstrating strong leadership by proposing this rule.

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