

**Luoma Egg Ranch, Inc.  
35705 State Hwy 18  
Finlayson, MN 55735**

December 21, 2004

**Division of Dockets Management  
Food & Drug Management  
5630 Fishers Lane, Room 1061  
Rockville, MD 20852**

Docket nos. 1996P-0418, 1997P-0197, 1998P-0203 and 2000N-0504

Dear Sirs and Madam:

I am writing in regards to the proposed rules by the Food and Drug Administration on Salmonella Enteritidis in shell eggs. Luoma Egg Ranch, Inc. is a family farm egg producer since 1955. We raise our own chickens and have 700,000 egg layer type chickens. We carton some of our eggs, sell some as nest run, and some to egg breakers in a five state area.

We strive to provide to our customers the freshest and highest quality egg to our customers. Our farm is regulated by many governmental agencies, for example: DOT, Department of Agriculture, USDA, FDA, MPCA, EPA, DOL, DNR, IRS and others too numerous to mention. We will always strive to comply with all the laws and regulations to the best of our ability.

Please recognize what the poultry industry and the states are already doing by reviewing all the existing state and poultry egg quality assurance programs already in place. If we are already in compliance with these agencies, we should be in compliance with FDA. The FDA should utilize the federal and state agencies already regulating our industry.

(56827) FDA states that they have the authority to "prevent the introduction, transmission or spread of communicable diseases..." Cooking is the single critical control point of the SE problem, us farmers would like to see the FDA to require proper cooking of eggs for high risk populations. Other examples of communicable diseases the FDA has authority over are Aids, SDS, flu and the common cold.

(56847) We raise our own chickens from the age of one day old. We carefully vaccinate our birds to keep them healthy which in turn provides us with good egg production. We understand that the FDA has gathered information on 100 vaccinated flocks and still don't recognize the benefits of vaccinations. We don't want a mandatory law about vaccinations but would like recognition to the benefits of vaccinations and the poultry industry's constant vigilant concern in regards to egg and food safety.

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(56836) FDA proposes total clean out of SE positive houses at times of depopulation with wet cleaning. (Please see attached Minneapolis Star and Tribune date December 21, 2004.) Our poultry laying barns are not heated, the birds provide sufficient heat to maintain an average house temperature of 70-74 degrees with sufficient fresh air ventilation. Once the house is totally depopulated the inside building temperature will also drop to below freezing. It would be difficult to wet clean the barn when it is below freezing and you must remember it is only December, we have another four months of winter. Then we have another regulatory State Agency we have to comply with, the Minnesota Pollution Control Agency plus EPA. They frown on winter spreading of manure but allow it with strict regulations for winter applications.

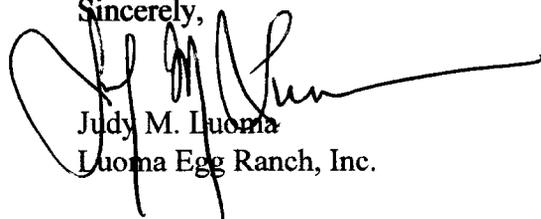
(56835) Biosecurity, SE, and rodent programs should be designed specifically for each farm.

(56838) FDA recommends egg testing within 24 hours after finding environmental SE positive flock or divert the life of the flock. Please provide a list of Department of Agriculture staff that will come within 24 hours (does this include Saturday and Sundays) and certified labs that can receive 1000 eggs within 24 hours.

Once again please recognize and reward the efforts the poultry industry and states have already accomplished. Lastly, it is time to mention the financial hardship of an overburdensome and not farm specific SE regulation. We are a smaller family farm competing against giant corporate poultry farms with greater diversification and we are both competing for the same carton account. Before passing any new rules, please review the enclosed article from December, 2004 Egg Industry submitted by the USDA in regards to future egg prices. Maybe we will still be here when the new ruling is passed.

We appreciate your attention to this matter.

Sincerely,



Judy M. Luoma  
Luoma Egg Ranch, Inc.

Enclosures



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The specially designed mesh ensures uniform light distribution and ventilation air flow

### colony cage

The new „colony cage“, for egg and meat strain parent stock, as well an alternative housing option to meet possible future requirements.

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**optional extras**  
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Energy-saving high performance fans: the result is a manure with up to 70% dry matter content.

**egg belt**  
Gentle egg handling with only 1 single transfer practically eliminates cracked and dirty eggs

### feeding

Patented feed-saving dosing slide helps to maintain optimum feed consumption.

*...we take good care of the bird and the eggs!*

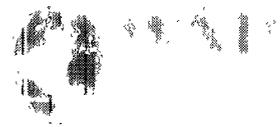
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## U.S. Egg Producers React to New Laws

**W**ASHINGTON, D.C. — U.S. egg producers are reacting to the passage of the U.S. Food Safety and Inspection Service (FSIS) new egg product safety rules. The rules, which take effect in 2004, will require egg processors to meet the same standards as meat and poultry processors. The rules also require egg processors to implement a HACCP (Hazard Analysis and Critical Control Points) system. The rules are a result of the Food Safety and Inspection Service's (FSIS) recent recall of egg products contaminated with *Salmonella*. The recall was the largest in the history of the agency. The recall was caused by a contamination of the egg product by *Salmonella*. The recall affected approximately 1.5 million pounds of egg products. The recall was a major concern for the egg industry. The recall was a major concern for the egg industry. The recall was a major concern for the egg industry.

## Sunny Fresh Receives Award

**S**unny Fresh has received the 2004 James R. Spicola Award, which is given to Cargill businesses that achieve the highest level of performance through systematic continuous improvement. Headquartered in Monticello, Minnesota, USA, Sunny Fresh produces value-added egg-based foods primarily for the foodservice industry. A subsidiary of Cargill, Sunny Fresh has processing facilities in Monticello, Lake Odessa, Michigan and Mason City and Panora, Iowa.

"Receiving this award speaks volumes about the commitment and customer focus of the 580 stakeholders on the Sunny Fresh team," said Mike Luker, president of Sunny Fresh Foods. "By being involved in creating value for customers, each stakeholder has helped our business grow and be successful."

The award is named after Jim Spicola, who was president of Cargill in the late 1980s when the Cargill Quality Process was implemented. The criteria for receiving the Spicola Award are based on the Malcolm Baldrige National Quality Award. The Baldrige Award is overseen by the U.S. Department of Commerce and the National Institute of Standards and Technology. The Baldrige Award is the highest level of national recognition for performance excellence that a U.S.

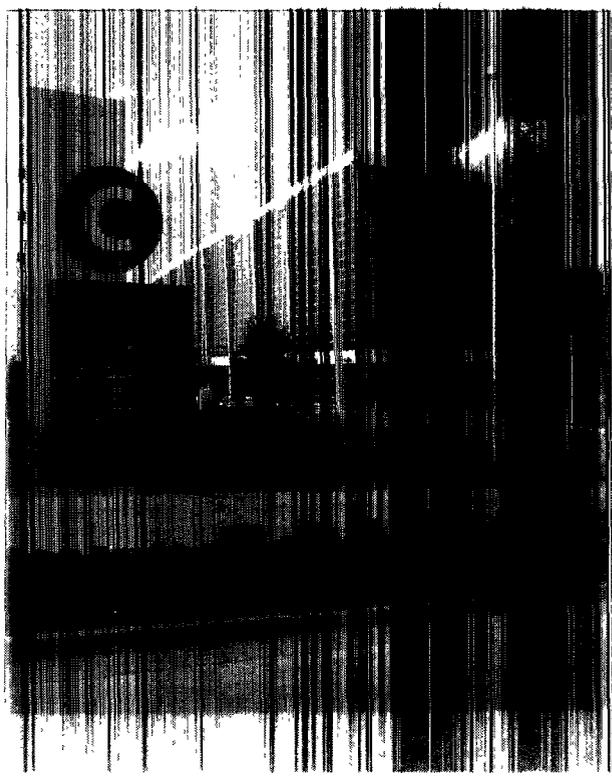
See Sunny Fresh on page 3

## Secretary Resigns

**A**griculture Secretary Ann Veneman has announced her resignation from the cabinet level position. She has held the post for four years. Veneman, who was the first woman to serve as U.S. Secretary of Agriculture, is a lawyer who joined the administration of Governor Arnold Schwarzenegger as California's Secretary of Food and Agriculture. She also held previous posts at USDA.

American Meat Institute President J. Patrick Boyle praised Veneman's leadership on a host of agricultural issues, noting that USDA's response to the first BSE case helped restore consumer confidence to near record high levels. "The last 12 months have presented many challenges for Secretary Veneman and her department, and she has faced them with vision and commitment. In addition, under Secretary Veneman, USDA's food safety efforts have complemented the industry's own food safety initiatives. The results: bacteria on raw meat and poultry down dramatically and so, too, are many foodborne illnesses," Boyle added. "She is to be commended for her outstanding record and her tireless efforts on behalf of U.S. agriculture," said Boyle.

Nebraska Governor Mike Johanns has been nominated to be the next Secretary of Agriculture.



See page 6 for a full preview of the International Poultry Exposition in Atlanta.

## PAUL DOUGLAS' TWIN CITIES FORECAST



Today

Low	High
<b>9</b>	<b>10</b>

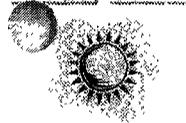


**Gusty; colder with wind chills of 15 below. Winds: northwest 15-30. Tonight: Clearing and bitter.**

**a.m.: 9                      noon: 10                      6 p.m.: 5**

**Wednesday**

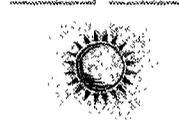
Low	High
<b>-7</b>	<b>5</b>



**Cold sunshine.**

**Thursday**

Low	High
<b>-10</b>	<b>0</b>



**Arctic sunshine.**

**Friday**

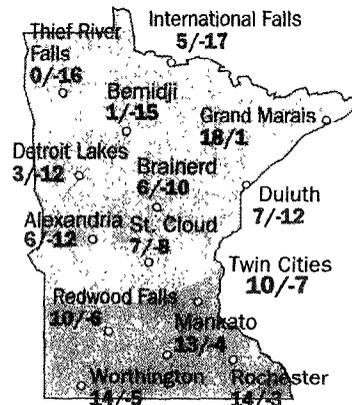
Low	High
<b>-13</b>	<b>3</b>



**Numbing start; fading sun.**

Daily high/low temperatures are from midnight to midnight

Hear Paul's forecast on **QuickCall** ...  
(612)673-9050, then enter category 8000



**Paul Douglas**

## Arctic fling

All I want for Christmas is a Ronco snow-making machine, the home edition. Now, there's a great business idea. I want to have the only yard in the neighborhood with a white Christmas. We can get the cold, we can experience ice-rink conditions on our highways, but we just can't beg, borrow or buy a snowstorm. Today's numbing winds will shove the storm track well to our south this week, treating many southern and eastern towns to snow by Dec. 25. Yet, I fear that we will get snow only by way of a minor meteorological miracle, and Santa will just have to get over it and attach little wheels to his sleigh. Wind chills may dip into the range of below 20 below later today, and if it's any consolation, the sun will be out much of this week, a rarity for December. This may wind up being the coldest Christmas Day since 1996, when we woke up to 22 degrees below zero.

*Paul Douglas is senior meteorologist of the WCCO Weather Team.*