



C A L I F O R N I A A V O C A D O C O M M I S S I O N

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June 29, 1998

VIA FACSIMILE

Dockets Management Branch (HFA-305)
Food and Drug Administration
12420 Parklawn Drive, Room 1-23
Rockville, Maryland 20857

Re: Guide to Minimize Microbial Food Safety Hazards for Fresh Fruits and Vegetables (Docket No. 97N-0451)

To whom it may concern:

These comments are submitted on behalf of the California Avocado Commission (the Commission) regarding the subject proposed guidelines. In general, the proposal would establish guidelines for the fresh fruit and vegetable industry relating to minimizing potential microbial hazards from fresh fruits and vegetables.

The Commission is organized under California state law and represents the state's approximately 6,000 avocado growers. It is broadly responsible for increasing grower returns by conducting advertising, promotion and public relations of California avocados and engaging in industry related activities that help create a better marketing environment for California avocados. As part of this responsibility, the Commission works actively on a range of regulatory issues including food safety issues.

The Commission has significant reservations regarding the adoption of the proposed guidelines. Specifically, the Commission questions the necessity for the guidelines for our industry. To the best of our knowledge, there has never been any reported or documented food illness outbreak associated with the production, packing, marketing and consumption of fresh avocados. The Commission does not dispute that in a limited number of circumstances, food borne illnesses have been associated with a limited number of other fruits and vegetables. It may be appropriate for the Agency to consider a set of guidelines specifically designed for those parts of the food sector which have arguably been

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shown to be a source of the problem. It is not appropriate, however, for the Agency to establish a set of guidelines for our industry in the absence of any demonstrated need for such guidelines. In such circumstance, despite the good intentions espoused by the Agency in the guidelines, their adoption would result in additional burdens for our industry, although the Agency does note that these are "voluntary" at the current time.

Prior to the Agency proceeding, we request that the following critical issues be addressed:

1. What information does the Agency have demonstrating a need for the guidelines in the California avocado industry?
2. What information does the Agency have concerning the current good agricultural practices (GAPs) being used in the California avocado industry?
3. What increased resources would be required if the guidelines were applied to the California avocado industry?
4. What additional testing and recordkeeping requirements would be required if the guidelines were applied to the California avocado industry?
5. If the guidelines were applied to the California avocado industry, does the Agency currently have sufficient resources, including personnel and funds, to assure that all our foreign competitors are applying the same or similar GAPs?

The Commission supports the application of GAPs such as those being proposed, when the Agency has clearly identified a potential microbiological contamination problem with a specific food or crop. If such hazard exists, it must be addressed. In the absence of a hazard associated with our particular crop, we believe that it is not appropriate for the Agency to support the establishment of an additional regulatory scheme, even under the guise that the system is voluntary in nature.

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The Commission appreciates the opportunity to provide these comments to the Agency. If you have any questions or need additional information, please contact us.

Very truly yours,

A handwritten signature in black ink that reads "Tom Bellamore" followed by a stylized monogram or initials "TBS".

Tom Bellamore
Senior Vice President

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MCDERMOTT, WILL & EMERY
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(202)756-8010

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FOOD & DRUG ADMINISTRATION
12420 PARKLAWN DRIVE
ROOM 123
ROCKVILLE MD 20857

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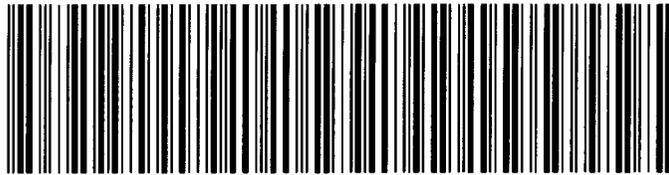
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