



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

NATIONAL MARINE FISHERIES SERVICE

Technical Services Branch

Documentation Approval and Supply Services Section

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Anthony P. Brunetti
Office of Seafood, HFS-416
Programs and Enforcement Policy
Center for Food Safety and Applied Nutrition
Food and Drug Administration
200 C Street SW
Washington, DC 20204

Dear Mr. Brunetti,

Subject: Retortable Pouch Tuna

The USDC, Seafood Inspection Service is in the process of drafting appropriate inspectional tools to evaluate tuna in retortable pouches. The document of choice is the modification of the Commercial Item Description for Canned Tuna, A-A-20155A, enclosed. However, the question arises, does tuna packed in pouches fit the Standard of Identity for Canned Tuna, 21 CFR 161.190? The answer to this question is vital to the revision of the document.

If the decision is made that tuna in retortable pouches is covered by the standard, certain aspects of the standard will be difficult, if not impossible to apply. Such as press weight and the determination of flake verse chunk verse solid pack. The tuna industry through United States Tuna Foundation have expressed the opinion that such packs do not fall under the standard. Also enclosed, is a letter from the USDC Seafood Inspection Service Western Region Supervisory Inspector, Leonard Shanks identifying areas of the standard that are difficult to apply to tuna in retortable pouches.

Should the decision be made not to subject this product to the standard, will the industry be allowed to use terminology of the standard to label their product? Star Kist currently labels tuna in retortable pouches as "chunk light tuna, packed in spring water" and "chunk light tuna, packed in vegetable oil." Star Kist obviously believes that it is appropriate to label product as chunk. My limited experience with such product leads me to the conclusion that it is difficult to make such a determination of chunk. The normal test identified by the standard does not fit the pack. On the other hand as reported to me, Van Camp Seafood does not believe such labeling is proper, but may be forced to for market reasons. Van Camp's rationale for not labeling tuna as chunk has not been provided to this office.

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Another factor adding to the dilemma is that several states, the military and USDA plan large commodity purchases of tuna in retortable pouches, early next year, 2002. USDA, the military, and the states will require USDC inspection of the product which will include labeling. Thus the need of an inspection document and proper labeling terminology for tuna therein.

Writing for the USDC Seafood Inspection Service, the service does not agree with imposing the standard on tuna in retortable pouches for reasons previously expressed. Further, the service does not agree with the use of the terms "chunk" and "solid", from the standard, in the labeling of tuna in retortable pouches. The consumer expectations, regarding labeling, could easily be transferred from canned tuna to tuna in pouches. Simply put, the product should be labeled as light tuna or white tuna.

USDC respectfully request answers to the questions raised. Is tuna in retortable pouches covered by the Standard of Identity for Canned Tuna? If so, how will such requirements of the standard relative to press weight and style determination be applied? If not, will the terminology contained in the standard, such as chunk, be allowed on labeling of tuna packed in pouches?

Should you need additional information or clarification, feel free to contact George Haines at (228) 762-1892, anytime

Sincerely,



George J. Haines, Jr.
Approving Officer

Enclosure: (2)

cc: Felicia Satchell - HFS - 820 w enclosure
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F/SI2 - D. Moisan "
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