



2002N-0276
Registration of Food Facilities Under the Public Health Security and Bioterrorism Preparedness Act of 2002; Interim Final Rule; Reopening of Comment Period; Docket No. 02N-0276

May 13, 2004

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Dockets Management Branch (HFA-305)
Food and Drug Administration
5630 Fishers Lane
Room 1061
Rockville, MD 20852

RE: Registration of Food Facilities Under the Public Health Security and Bioterrorism Preparedness Act of 2002; Interim Final Rule; Reopening of Comment Period; Docket No. 02N-0276.

Comments of Diamond Walnut Growers, Inc

Dear Sir or Madam:

Diamond Walnut Growers is pleased to have this opportunity to provide further comments on implementation of the food facility registration under Section 305 of the Public Health Security and Bioterrorism Preparedness and Response Act.

Formed in 1912, Diamond Walnut Growers, Inc. (dba Diamond of California) is a farmer cooperative owned by 1,800 walnut growers. It was created to process and market all of the walnuts produced by its members in their California orchards, which are primarily grown in the Central Valley from Chico to Bakersfield. Headquartered in Stockton, California, Diamond of California is the world's leader in culinary and inshell nuts.

The Diamond name has been synonymous with product quality, innovative processing technology, service and effective marketing. Diamond's 550,000-square-foot processing plant is the most technologically advanced nut processing facility in the world.

Diamond commends FDA's effort to assure that the food derived from America's farmers and processors is of the highest and safest quality.

Diamond has completed the registration process of all of its facilities and found the registration process to be straightforward and efficient.

A point of clarity is still remaining regarding the "Farm Exemption" application for the hulling and drying of walnuts during the harvesting process. Walnuts, before a processor such as Diamond can receive them, must be hulled to remove the green husk and dried to 8% or less moisture to reduce the high moisture content. Walnuts cannot be stored unless the hull is removed and the moisture reduced. While the industry views this process as

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part of the normal farming practice, it is not clear from the Farm Exemption language if this process is included under that exemption.

It states under the Farm Exemption, "Washing, trimming of outer leaves, and cooling of produce are considered part of harvesting." This could also be interpreted as very similar to removing the outer hull and drying of walnuts.

As we approach the harvest this fall, we would appreciate obtaining clarity on these activities related to the Farm Exemption.

Best Regards,


Sam Keiper

Vice President Grower Relations
and Corporate Affairs