

Canadian Embassy



Ambassade du Canada

501 Pennsylvania Ave., N.W.
Washington, D.C. 20001

May 14, 2004

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

ATTN: Docket No. 2002N - 0278

Interim Final Rule - Prior Notice of Imported Food: Reopening of Comment Period

The Government of Canada welcomes the opportunity to provide further comments on the interim final rule Prior Notice of Import food as notified under the Docket No. 2002N-0278 and published by the Food and Drug Administration (FDA), Department of Health and Human Services, in the Federal Register of April 14, 2004 (Volume 69, Number 72).

If you have any questions on the submission, please contact the undersigned at 202- 682-7787.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'R. Krystynak'.

Ronald Krystynak
Agriculture Counsellor

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As you are aware, on April 28, 2004, Canada requested a 60 day extension to the comment period for this Rule. It is our understanding that a formal amendment to the comment period will be published shortly.

Even with the granting of a 60 day extension to the comment period, Canada wishes to take this opportunity to inform you that we will be providing comments on this Rule in the following areas of concern:

- application of the Rule to non commercial shipments by international mail;
- application of the Rule to Canadian products transhipped through the United States to Canada;
- implementation of administrative flexibility to allow the amendment of the Rule without using regulatory process;
- integration of risk management alternatives such as FAST and C-TPAT to identify low risk shipments; and
- mechanisms to reduce duplication with other government agencies.

Given the nature of the above areas of concern, the extension will allow us to consult adequately with our stakeholders and formally explore with FDA officials effective risk management alternatives in response to FDA's specific request.

We appreciate your positive response to our extension request, and we will be able to use this increased time to provide the FDA with more informed comments which will be of better use to you.