

Living Sprouts Co.
P. O. Box 871418
Vancouver, Wa. 98683 7 0 2 9 '00 JUL 19 P2:39
(360) 260-9617

Dec. 13, 1999

Dockets Management Branch (HFA-305)
5630 Fishers Lane Rm. 1061
Rockville, Md. 20852

To whom it may concern:

In response to the guidelines presented by the F. D. A., and the Dept. of Agriculture of Washington and Oregon, on Nov. 29, and Dec. 2, 1999, respectively. We are concerned as to the testing guidelines that was presented at these meetings.

One the oldest sprout growers in the United States, we are as concerned as the F. D. A. is to the potential problems with the sprout industry. We are the first sprout corporation to be HACCP certified in the United States. According to the certification requirements we are obligated to do weekly tests on products and environment. This testing has put an undue financial burden on our company as a small agricultural industry.

According to the new guidelines the testing procedures would increase our laboratory costs to where it is neither feasible to absorb these costs into the corp. operating expense, nor pass these costs onto the consumer. The recommendation of this type testing is anti-productive on small and medium growers alike. An example of this problem would be a small grower doing less than 48 dozen per lot, would incur a testing expense of either \$138.00 under the drum guidelines, (a \$2.66 per dozen lab cost), or under the tray guidelines would incur a \$1380.00 (a \$26.66 per dozen lab cost). As a medium size corp. our lab cost under the guidelines for the drum testing would be as follows ; \$138.00 per 83 doz. (or \$1.663 per dozen), under the tray-rack guidelines the cost would be \$276.00 per 83 doz. (or \$3.32 per doz.). The guideline cost of testing would be prohibitive to the sprout growers. These numbers may not seem significant to you, a few cents on the dozen cost or a few dollars, but to any size sprout company they are cost prohibitive. We have price quotations from outside laboratory services, giving them the guidelines and computing our production numbers the actual cost to our company would be \$137,900 to \$275,300.00 per year on a corp. with an annual gross revenue of \$456,000.00 or a 30% to 60% cost of production to grower. In the market place where it has taken 26 yr. to raise the price from \$3.25 per doz. to \$5.00 per doz. this increase would drive the sprout companies out of business.

99D-44P8

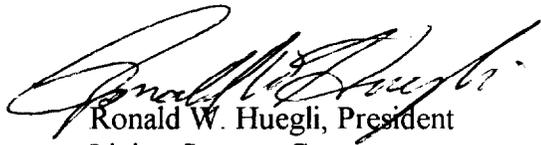
C
C69

The difficulties with the guidelines are in the quantity of testing per dozen, the testing procedure, (drum versus tray-rack), under the guidelines it requires drum testing to be taken at a 48 hour interval. Some growers, like ourselves, that grow their product in the container which the product is marketed in, would place the drum time frame to 36 hours or less. Under the guidelines this would require us to do testing on the rack procedure. The rack procedure is the most expensive guideline. The quantity of test per lot is redundant since the growers would be doing exorbitant number of tests on the same seed lot number. Most growers will utilize the same seed lot over a 3 to 5 week period.

Under our HACCP certification we are required to do testing on a weekly basis. This allows us to monitor the seed, water, environment, over a broad time frame.

We urge you to reconsider your position on these guidelines and work with the industry to devise a better testing program for the safety of the consumers.

Sincerely yours,



Ronald W. Huegli, President
Living Sprouts Co.

cc:

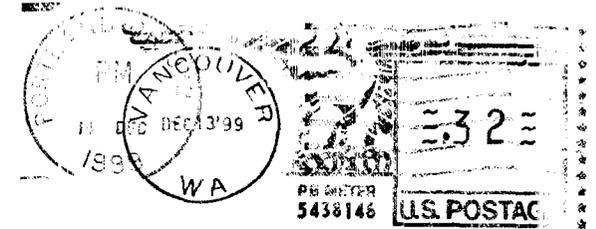
Michelle A. Smith
Center for Food Safety and Applied Nutrition (HFS-306)
Food and Drug Administration
200 C St. SW
Washington, DC 20204

CROSS FILE SHEET

File Number: 99D-4488/C69

See File Number: 99D-4489/C70

12506 NE 151 St.
Brush Prairie, Wa. 98606



Michelle A. Smith
Center for Food Safety and Applied Nutrition (HFS-306)
Food and Drug Administration
200 C St. SW
Washington, DC 20204

20204+0002

