



AGRICOR

AGRICOR, INC.
1626 S. Joaquin Drive
P.O. Box 807
Marion, IN 46952
Tel. (765) 662-0606
Fax: (765) 662-7189

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August 2, 2000

Dockets Management Branch
Docket No. 00D-1277
Food and Drug Administration
5630 Fishers Lane, Room 1061
Rockville, MD 20852

Dear Sir/Madam:

This letter is in response to the draft guidance entitled "Guidance for Industry: Fumonisin Levels in Human Foods and Animal Feeds."

I am writing on behalf of Agricor, Inc. (Agricor) a dry miller of corn based in Marion, IN. We produce degerminated yellow corn grits, cornmeal and corn flour. Most of our products are made from conventional corn, but we do mill certified organic corn as well. While Agricor is a member of The North American Miller's Association (NAMA), our views on this issue may not reflect the views of the rest of our group.

First of all, I want to applaud The Food and Drug Administration (FDA) for its thoughtful and deliberate approach in this matter. I have followed the fumonisin issue since it first surfaced approximately ten years ago. Early on, I feared that FDA would be pressured into setting a premature standard. You have resisted these pressures and maintained an orderly and sensible process.

I have mixed feelings about your proposed standards. I think that 4PPM makes sense for whole or partially degermed dry milled corn products. I think this level will give the mills who make these products extra leeway while maintaining an acceptable level of consumer protection. Even at this level, some of the mills, particularly in the Southern U.S., will be forced to source their corn in more distant locations.

I don't feel as kindly toward the 2PPM standard for degermed dry milled corn products. We have long maintained that a 3PPM standard would make the most sense. Weather conditions in the early 1990s resulted in fumonisin background levels in corn that exceeded 1PPM across the state of Iowa. Since that time, we have been blessed with good to excellent crop conditions. As such, Agricor's results during the NAMA three year fumonisin study were quite good and certainly don't support my cause for concern. However, I believe that our good fortune can't last

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forever. We will run into problematic weather and the resulting higher fumonisin levels. When this occurs, I want to have a standard that leaves us with some wiggle room. It is more than reasonable to expect millers to use available technology to screen out moldy kernels of corn. However, high background levels of fumonisin found in a wide geographic area in sound, healthy corn kernels will leave us with few options, none of them good. Forcing millers to source corn from another part of the corn belt would greatly upset the marketplace and, in this low margin business, would be an economic disaster for the mills involved.

Keep in mind that the standard you set is the umbrella for other standards in the marketplace. Regardless of the standard you set, many food companies will shave that number in an effort to give themselves extra protection. An FDA standard of 2PPM doesn't leave room for a lower industry standard in a bad year. As an extreme example, we have already been approached by a major brewer who wanted to know if we could consistently guarantee results of zero.

From a consumer protection standpoint, you have indicated that you can live with 4PPM in whole and partially degermed dry milled corn products. I believe that consumers of degermed products will be safely protected at 3PPM. I urge you to reconsider your position and to set a standard of 3PPM for degermed products.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Steve Wickes". The signature is written in a cursive, flowing style.

Stephen H. Wickes
Vice President

CC: Mr. Jim Bair, Vice President, NAMA
Mr. Will Duensing, Chairman, NAMA Fumonisin Committee.

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1626 SOUTH JOAQUIN DRIVE
P. O. BOX 807
MARION, INDIANA 46952



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