



May 12, 2004

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

RE: Docket No. 2002N-0278

Dear Sir/Madam:

Thank you for this opportunity to comment on the Interim Final Rule (IFR) for Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (Bioterrorism Act). We fully support the objective of the Act and have made, and continue to make, significant investment to comply with the requirements of the Bioterrorism Act as well as security partnership programs with U.S. and Canadian government agencies such as C-TPAT, PIP, and FAST.

We believe that food products subject to FDA's Prior Notice requirements be eligible for the full expedited processing and information transmission benefits allowed with C-TPAT and FAST. This should be achievable through integration of CBP's Automated Broker Interface of the Automated Commercial System (ABI/ACS), FDA's Prior Notice System Interface (PNSI) and C-TPAT's Automated Commercial Environment (ACE).

We ask the FDA to consider a 30 minute timeframe for submitting Prior Notice for food arriving by land, as a change to one hour will not successfully impact just-in-time shipments. Our Canadian facilities are strategically located to facilitate just-in-time shipments into the U.S. market. With the two hour Prior Notice requirements, we are not able to submit the total required information that would satisfy both the FDA and the U.S. Customs Border Protection Agency (CBP). With our continuous flow of trucks crossing the U.S. border, our agent had to employ additional staff to handle our Prior Notice submissions. The cost to our Company has doubled as our agent has to process two submissions for the same shipment in order to complete the appropriate paperwork involved; the first to meet the two hour Prior Notice submission timeframe, and the second to provide the remaining information to satisfy both the FDA and CBP. We believe that a 30 minute Prior Notice submission timeframe would allow us to return to acceptable operating procedures.

Page 2 – Corn Products International Inc.

As a Company, we see benefits in being C-TPAT and FAST approved, and it should not be necessary for the FDA to expand their current Bioterrorism Act responsibilities. An FDA and CBP all encompassing program should be structured such that a business certified C-TPAT AND FAST is responsible for ensuring that its supply chain will meet the Bioterrorism Act and C-TPAT requirements.

Any assistance and/or training that the FDA could provide to ensure understanding and application of Prior Notice submissions would be beneficial to the food industry.

We encourage the FDA to continue to work with CBP to integrate a 24/7 system that meets the needs of both agencies and importers/exporters. This process needs to address customer satisfaction issues while maintaining border security and efficiencies. We thank you for your consideration.

Sincerely

A handwritten signature in black ink, appearing to read "Allan Kelly". The signature is written in a cursive, flowing style with a small dot at the end.

Allan Kelly
Director, Logistics U.S./Canada Region