

November 29, 2004

Division of Documents Management (HFA-305)
Food and Drug Administration
5630 Fishers Lane, RM 1061
Rockville, MD 20852
Fax: 240-632-6861

Dear Sirs:

Subject: Draft revision of the compliance policy guide (CPG)
Entitled ``Sec. 560.400--Imported Milk and Cream--FIMA'

On behalf of the farm and ranch members of the California Farmers Union (CFU) and the California Dairy Campaign (CDC), we write in response to Federal Register (Volume 69, Number 209, pages 63158-63159) notice to comment on the draft revision of the compliance policy guide (CPG) entitled "Sec.560.400-Imported Milk and Cream – Federal Import Milk Act." The CFU and CDC represent more than 2000 farmers and ranchers in California.

We write to urge the Food and Drug Administration (FDA) to require a Federal Import Milk Act (FIMA) permit for sour cream, cultured milk, acidified milk, yogurt, cheese, ice cream, eggnog, dried milk, nonfat dry milk, nonfat dry milk fortified with vitamins A and D, dehydrated milk products and all dairy products processed and packaged in hermetically sealed containers. We further support that FIMA permits be required for milk, lowfat milk, skim milk, fortified milk, flavored milk, concentrated milk, evaporated milk, sweetened condensed milk, ultra filtered milk, cream, half-and-half, heavy cream, light cream and light whipping cream and any other dairy product imported into the U.S.

We oppose the draft revision of the CPG because we believe that it is vital for imported dairy products to meet the same standards as domestically produced products. When imported dairy products enter the U.S. without a permit to certify their quality and safety, it puts domestic producers at a severe disadvantage in the marketplace.

The public relies upon FDA to work to ensure that all food sold in the U.S. is safe. When dairy products enter the U.S. that do not meet our high domestic safety standards, it puts the public health at risk. Dairy producers throughout the nation work to provide a high quality, safe product to U.S. consumers. When unsafe products are sold in the grocery store it jeopardizes the public confidence in our food supply.

Again, we write to strongly urge that FDA immediately require that all imported dairy products meet the requirements of the Federal Import Milk Act.

Sincerely,

Joaquin Contente
President
California Farmers Union


Xavier Avila
President
California Dairy Campaign