



DEPARTMENT OF HEALTH & HUMAN SERVICES

Food and Drug Administration  
Rockville MD 20857

The Honorable John D. Dingell  
Chairman  
Committee on Energy and Commerce  
House of Representatives  
Washington, D.C. 20515-6115

NOV 06 2007

Dear Mr. Chairman:

This is in further response to your letter of July 27, 2007, co-signed by Representative Bart Stupak, Chairman, Subcommittee on Oversight and Investigations, concerning decisions made by the Food and Drug Administration (FDA or the Agency), regarding the use of carbon monoxide (CO) in modified atmosphere packaging (MAP) for meat products and "tasteless smoke" (which includes CO) for fish.

We are providing additional documents responsive to request number three of your letter, which is re-stated below. Please be advised that these documents contain trade secret, commercial confidential or other information protected from public disclosure under the Freedom of Information Act (Title 5, United States Code [U.S.C.], section 552), the Trade Secrets Act (Title 18, U.S.C., section 1905) and/or FDA regulations. This information should not be published or otherwise made public. We would be glad to discuss the protected status of any specific information with you or your staff.

**3. Please also provide all records relating to the determination that fish processed using "tasteless smoke" or carbon monoxide is GRAS.**

Response: Documents responsive to your request are enclosed.

Thank you again for your interest in this matter. A similar response without enclosures is being sent to Chairman Stupak.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen R. Mason", written over a horizontal line.

Stephen R. Mason  
Acting Assistant Commissioner  
for Legislation

Enclosures