



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 08 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 your requests which are re-stated below in bold type. 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 This information should not be published or otherwise made public.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.

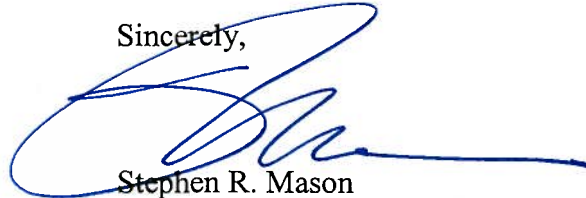
3. **Please provide all documents, including internal agency communications and notes that were not provided to the Committee in response to our February 9, 2006 request, addressing whether the data and other information in the Precept GRAS notification satisfied FDA’s GRAS standard.**
4. **Please also provide all documents, including but not limited to, all internal notes or other memoranda, as well as correspondence with USDA’s Food Safety and Inspection Service (FSIS), reflecting FDA’s and FSIS’s consideration of the ability of carbon monoxide to conceal the true freshness, quality, and safety of meat.**
11. **Please provide all records, including but not limited to, internal notes, memoranda, and communications with Precept and FSIS, addressing labeling of the carbon monoxide in Precept’s MAP system, including whether it met FDA’s definition of a processing aid. To the extent not otherwise requested, please provide all records, including but not limited to, internal notes, memoranda, and**

inter-agency communications relating to all contacts with FSIS personnel regarding GRN 000143.

Response: Documents responsive to your requests 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 blue ink, appearing to read 'S. Mason', with a large, sweeping flourish that extends to the right and loops back under the name.

Stephen R. Mason
Acting Assistant Commissioner
for Legislation

Enclosures