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HENNINGSEN

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Docket Clerk
U.S Department of Agriculture
Food Safety and Inspection Service
300 12th Street SW
Room 102 Cotton Annex
Washington D.C.

Comments of Henningsen Foods Inc on FSIS New Technology
Website Contents

Docket no. 04-003N

As a long-time manufacturer of further processed meat, poultry, and egg products, Henningsen Foods Inc. appreciates the opportunity to comment on the FSIS proposal to post information on new technologies, which are being evaluated by manufacturers of meat, poultry and egg products and are or have been reviewed by the Agency. To operate manufacturing plants at top efficiency and/or to enhance product quality and safety, it is necessary from time to time to evaluate and/or implement new processes and technologies.

Henningsen Foods Inc. is opposed to the posting of any and all information relative to new technologies employed in the manufacture of meat, poultry, and egg products, which are under review by the New Technology Staff (NTS) of FSIS.

FSIS has regulatory responsibilities for ensuring the safety and wholesomeness of meat, poultry, and egg products, and to protect public health. However, it is not in the purview (statutory or otherwise) of FSIS to publish or make known in any manner the information relative to technology (new or otherwise) used in the manufacture of meat, poultry, and egg products.

Manufacture of these products frequently involves the use of proprietary processes. It would create a significant competitive disadvantage to those firms using proprietary processes if they were to be made public through FSIS's New Technology website, or any other medium. In some new technologies, it is difficult or impossible to disclose information in a "public version" without revealing proprietary aspects of the technology or the manufacturing process in which it is used.

It is commendable that FSIS desires to encourage small and very small plants to utilize available new technologies. However, this should not be done at the expense of firms that developed and/or have a proprietary interest in the new technology.

If manufactures or suppliers of new technologies choose to make information available on new processing procedures, methods, or equipment, there are numerous other media by which to do so, including but not limited to trade magazines, scientific journals, company literature, internet, and trade shows. There is equal access to information in these media outlets for manufacturers of all sizes. FSIS has neither the authority nor responsibility to publish this information in any form or to any extent on their New Technology website.

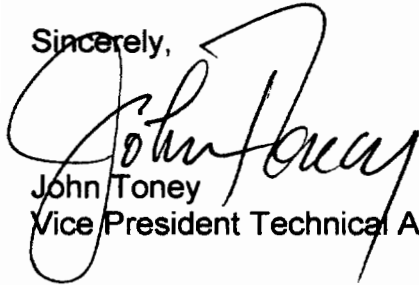
Henningsen Foods Inc. believes that FSIS should review and more concisely define the meaning of "New Technology." As it is currently defined, it is unclear whether "new" means new to a particular plant or to the industry. Does it mean that the new technology is untested or unproven in any commercial setting? What about processes that are currently in use, having been previously approved by the Agency that have been modified by the manufacturer to enhance operational efficiency?

As a part of the definition, categories should be established, such as 1) equipment, 2) pasteurization heat treatment and microbiological control, 3) biological treatments, and 4) processes and procedures. When a firm makes applications to experiment with or use a new technology, the category of the new technology could be identified and published on the New Technology website

along with the company name and the status of the application. In this manner, any proprietary aspects of the new technology would not be divulged.

In summary, Henningsen Foods Inc. strongly opposes FSIS's proposal to publish any and all information on the experimentation or use of new technologies by manufacturers of meat, poultry, and egg products. FSIS's proposal to put this information on the New Technology website should be abandoned or modified as recommended above.

Sincerely,



John Toney
Vice President Technical Affairs