



February 28, 2007

FSIS Docket Room
Docket Clerk
United States Department of Agriculture
Food Safety and Inspection Service
300 12th St, SW
Room 102 Cotton Annex
Washington, DC 20250

RE: Docket No. FSIS 2006-0040 – Product Labeling: Definition of the Term “Natural”

Fresherized Foods, a division of Avomex Inc., appreciates the opportunity to provide input on the FSIS initiative to define the term “natural” in the labeling of USDA regulated products. As the world leader in developing and commercializing High Pressure Processing (HPP) of foods we are very concerned how the rulings will impact the use of a technology on which we have built our business. Our company has a long and well-established history of using and promoting HPP foods as both safe and natural. Additionally, we have conducted high-level research to support that changes to HPP foods fall within the current definition of minimally processed. In fact our research suggests higher retention of nutrients, natural color components and natural texture and viscosity when compared to thermal processing.

High Pressure Processing of foods, although considered by many as a new technology, dates back to uses as early as 1899 by Bert Hite. In fact many physical processes (heating, freezing, dehydration) have a similar history of safe and effective preservation uses for food. All of these processes have changed due to technological advances that improve the efficiency and effectiveness of the more traditional methods originally developed. Many of the processing equipment used in modern food processing facilities do not resemble or could not be applied to processes used in a home kitchen. We do not believe that the consumer is in any way confused that HPP is minimal processing.

Indeed, our company has been commercially producing HPP products since the mid 1990's. We have spent a great amount of effort and money in promoting and educating consumers on the benefits of this technology. Our packaging and message to consumers has always been clear and consistent. We have always labeled our products as High Pressure Processed. We have also clearly defined on our packaging a description of this process. Consumers have expressed to us through surveys, promotions, and website consumer comments that our product is unchanged by the process from a sensory and organoleptic standpoint.

We have conducted numerous consumer surveys asking what consumers enjoy most about our products. Our main HPP product lines are guacamole products, which are made from a very perishable and fresh product. It's delicate color and fresh flavor are destroyed by heat and chemicals that are traditionally considered minimal processing. The process does not confuse our customers and we have received thousands of comments that relate to the natural flavor, color and texture of the product. They describe our product as homemade, natural and real. Our loyal consumers continue to grow our business because they love the homemade quality, and the added food safety benefit. Therefore, I strongly urge you to consider that the definition of minimally processed should relate to the impact on the food products and not on the complexity of the processing equipment. Our products are unchanged in the consumers mind from a fresh counterpart. They are minimally processed as defined by the policy.

We also produce RTE meat products that utilize the HPP process, and incorporate several microbiological hurdles to provide the consumer a natural tasting, safe product. We do not believe that the use of dual use ingredients should be excluded from the all-natural claim. Natural ingredients such as natural flavorings, spices and vinegar have both flavoring and preservative properties. The intent of adding these to food products as flavorings although they have preservative or antioxidant properties should not exclude them from the natural definition.

We have developed new HPP product businesses around the consumer demand for home/restaurant quality safe RTE products. HPP offers large and small companies an opportunity to produce safe high quality natural products. We are an example of a small family owned company that adopted a process and successfully built a business. HPP does not exclude small entrepreneurs but rather offers them a unique advantage to be on the cutting edge of food safety while creating convenient, healthy, and great tasting products.

We urge FSIS to come up with guidelines that clearly direct companies into the future as food safety advances may fall outside the lines of more traditional processing. FSIS must consider and advocate technologies that clearly increase food safety. It is important to consider these issues in implementing a clear definition of "natural".

Thank-you for giving us the opportunity to share our comments on this important and complicated issue.

Sincerely,

A handwritten signature in cursive script that reads "Marcia Walker".

Marcia Walker, PhD.
Vice President of Technology