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An ABF Ingredients Company

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February 19, 2007

FSIS Docket Room
Docket Clerk
USDA, FSIS
300 12th Street, SW
Room 102, Cotton Annex
Washington, DC 20250

Subject: Docket Number FSIS 2006-0040 Definition of the Term "Natural"

To Whom It May Concern:

This letter is in two parts with reference to the above docket. The first part A will address the four questions asked in the Docket and attached at Exhibit A. The second part B will address our specific concerns of "natural" terminology as they relate to our business.

PART A:

1. Question 1-Considering the different types of food processing methods... We believe that all food needs to be properly "Processed" so as to ensure food product safety. As an example: true natural milk would be raw or unpasteurized. This would expose consumers to significant risk, therefore milk must be pasteurized to protect the safety of the consumer and this should not affect the natural status. Similarly other natural foods need to be processed in such a manner to protect the safety of the consumer. Therefore it is reasonable to include in the definition of natural that normal processing sufficient to ensure consumer safety is acceptable. Extreme methods such as irradiation or other methods that significantly change the identity of the product would be disallowed. We believe the use of chemical sanitizers on equipment and processing methods such as short-time-high-heat pasteurizers are acceptable.
2. Question 2-Regarding food processing methods. I will answer this from my personal experience Having worked for many years in both the meat and poultry environment. I have the opinion that reasonable measures should be taken to improve the food safety of meat and poultry and eliminate pathogens. The use of chlorine and similar sanitizers in poultry chillers, steam pasteurization of carcasses, vinegar sprays, high pressure processing and modified atmosphere packaging should be allowed to enhance the natural aspect of products. Some classes of antimicrobials should be evaluated but probably not allowed.
3. Question 3- Regarding consumer perception of minimal processing etc. we have no further information to provide.
4. Question 4 -Regarding improving food safety. Because of the new risks associated with modern packaging of prepared meats, we believe that proper measures need to be taken to ensure food safety. Antimicrobials and anti-oxidants could be used but the labeling of the product should identify the agents and their purpose. Some customers want natural products but are willing to accept some agents provided they are necessary for food safety.

Thank you for allowing us the privilege of offering our comments. Now the second part. Of my letter

PART B:

On behalf of Provesta Flavor Ingredients of the U. S. of A and Ohly Yeast of Germany, I am submitting the following comments concerning "Labeling Guidance on the Voluntary Claim ' Natural' "; specifically referring to memo 055, dated November 22, 1982. Ohly/Provesta manufacture a wide variety of naturally fermented Baker's and Torula yeast products for Food Manufacturer's throughout the world. These specific yeast products function as food flavor enhancers and provide other desirable characteristics such as water/natural juice binding while providing a high protein addition to processed foods. These flavor enhancement yeast strains are different than the typical yeast fermented for the baking industry.

We support the pending rule making to clarify when the term "natural" can be used on the labeling of meat and poultry products. We further believe that our yeast products comply with the definitions published in Memo 055 as a natural food ingredient. I propose to demonstrate that yeast that we manufacture comply to the guide from Memo 055 and can be labeled as natural per definition as follows:

- (1) the product does not contain any artificial flavor or flavoring, coloring ingredient, or chemical preservative (as defined in 21 CFR 101.22), or any other artificial or synthetic ingredient; and
- (2) the product and its ingredients are not more than minimally processed. Minimal processing may include: (a) Those traditional processes used to make food edible or to preserve it or make it safe for human consumption, e.g., smoking, roasting, freezing, drying and fermenting, or (b) those physical processes that do not fundamentally alter the raw product or that only separate a whole, intact food into component parts, e.g., grinding, meat, separating eggs into albumin and yolk, and pressing fruits to obtain their juices. Relatively severe processes, e.g., solvent extraction, acid hydrolysis, and chemical bleaching, would clearly be considered more than minimal processing. Thus the policy memo explained, the use of a flavor or flavoring, for example, that has undergone more than minimal processing would, in general, mean that a product as used could not be called "natural".

DEFINITION OF YEAST FERMENTATION PROCESS:

There are five (5) physical forms of yeast ingredients, the first four are natural and the fifth is not natural::

- (1) Whole cell yeast produced directly from the fermenter. If compared to the egg, this would be the whole egg intact.
- (2) Autolyzed yeast which is whole cell yeast that has the whole cell structure ruptured which in turn releases the internal amino acids which are the flavor enhancers. If compared to an egg, this is the egg with the yolk ruptured.
- (3) Autolyzed yeast extract. The internal amino acids are separated from the whole cell. If compared to the egg, this would be the yolk separated from the egg white.
- (4) Cell wall. The remains of the whole cell after the internal amino acids are separated. If compared to the egg this would be the egg white separated from the yolk.
- (5) Hydrolyzed yeast. This is yeast that has been chemically modified with either an acid or a base. This type of process is clearly not natural.

It is our contention that items (1) through (4) can be declared natural depending on the type of growth environment and the process methods. Item (5) can only be non-natural because the process is not considered minimal

Ohly/Provesta produce a variety of yeast products both non-natural and natural depending on the ingredients added and/or the process post fermentation.

Recently, some FSIS inspectors have denied our claim that our whole cell yeast, autolyzed yeast, and autolyzed yeast extract are natural. We believe that there is confusion regarding the difference between hydrolyzed and autolyzed. Note-auto means self or natural. I would like to have verification that our products are permitted to be labeled natural when used in meat or poultry products. I will now describe the process that we believe to be in agreement with memo 055 as natural food ingredients.

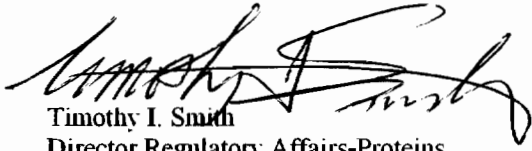
- (1) Pure yeast strain is purchased from the USDA laboratory and fermented using grain alcohol, dextrose, molasses or other natural carbon rich substrates.
- (2) The whole cell yeast is concentrated with a centrifuge to separate the yeast from surplus water.
- (3) Following this step the yeast is pasteurized using a normal heat exchanger at approximately 175 degrees F. for approximately 90 seconds.
- (4) The pasteurized yeast is then sent to a spray dryer or roller dryer to produce a dry powder for further manufacturing.
- (5) If autolyzed yeast is desired, then after step (2) the yeast is gently heated to above 140 degrees (minimum temperature to prevent spoilage) and the natural enzymes are allowed to self rupture the cell wall. A natural enzyme, Papain may be added to speed the process to prevent spoilage.
- (6) Autolyzed yeast is then pasteurized and either spray dried as above or further separated into the two base components .
- (7) The separated yeast is dried as two components: yeast extract and cell wall.

Because of the uniqueness of our processing operation we have applied to the labeling compliance division for a letter of approval regarding the natural claim.

We recognize that not all yeast products may be claimed as natural. For your information, we also manufacture some of these products that are not natural. They are not natural because they may have artificial ingredients added or may receive a reaction temperature process which changes the identity of the yeast and is not considered minimally processed. These products are not considered natural.

Thank you for allowing us the opportunity to comment on the "Natural" issue.

-Sincerely,

A handwritten signature in black ink, appearing to read "Timothy I. Smith". The signature is fluid and cursive, with a large initial 'T' and 'S'.

Timothy I. Smith
Director Regulatory Affairs-Proteins
Timsmith@provesta.com

EXHIBIT A
QUESTIONS FROM THE DOCKET

USDA Ruling on "Natural" Petition Questions

20 February 2007

FSIS is holding a public meeting in order to gain public input on the use of the "natural" claim and the points raised by the petition, the ideas set out in this notice, and the impact of possible changes discussed herein. Following the public meeting, the Agency intends to initiate rulemaking on "natural" claims. In order to benefit from this public meeting, FSIS seeks input on the following questions concerning the petition discussed above:

1. Considering the types of food processing methods that are commonplace today, as opposed to 24 years ago when the policy on "natural" claims was established, is it reasonable to include as part of the definition of "natural" a stipulation that products, to be eligible to bear the claim, can be no more than minimally processed? Are there any accommodations necessary to allow for certain operations because [[Page 70505]] food processing and packaging techniques for enhancing safety may disqualify a product as "natural?"
2. . What are the implications and conflicts that exist with regard to using current and new food processing methods, e.g., chlorine in poultry chillers; steam pasteurization of carcasses; high pressure processing; and modified atmosphere packaging and uses of certain classes of ingredients, e.g., antimicrobial agents, and the meaning of the claim "natural" on the labels of meat and poultry products?
3. Are there available data, in addition to the data provided in the petition, from consumer studies on views, perceptions, and beliefs about what the claim "natural" means on the labels of food products, including meat and poultry products? What do consumers think that the terms "minimal processing," "artificial and synthetic," and "preservatives" mean?
4. Do food safety and consumer protection benefits of using what historically may have been considered more than minimal processing techniques and antimicrobial agents outweigh conflicts with the meaning of "natural?" In recent years, FSIS has put a great deal of emphasis on improving food safety. In some ways, however, some definitions of "natural" might unnecessarily undercut this objective. For example, some definitions of "natural" could discourage the use of antimicrobials, which are used to reduce and prevent the growth of *Listeria monocytogenes* in foods. The Agency seeks comment on how it best determines an appropriate and rational balance between the need to ensure the safety of the food supply and the need to ensure that labels are truthful and not misleading.