



AMERICAN SPICE TRADE ASSOCIATION, INC.

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August 13, 2007

The Honorable John D. Dingell
Chairman
Committee on Energy and Commerce
U.S. House of Representatives
2125 Rayburn House Office Building
Washington DC 20515

The Honorable Bart Stupak
Chairman
Subcommittee on Oversight and Investigations
Committee on Energy and Commerce
U.S. House of Representatives
2125 Rayburn House Office Building
Washington DC 20515

Dear Chairman Dingell and Chairman Stupak:

Thank you for your letter dated 31 July 2007 requesting information related to food safety issues and the National Coalition of Food Importing Association's (NCFIA) draft import pilot test. We are pleased to provide the information that you requested in addition to information on the American Spice Trade Association (ASTA) and its programs to assure that American consumers have ready access to safe and wholesome spices.

The American Spice Trade Association

ASTA was founded in 1907 and has represented the American spice industry for one hundred years. ASTA's members include most of the major participants in the U.S. spice industry in addition to many small to medium size companies who are important participants in the spice trade. ASTA has key members in Michigan, Nebraska, New York, Illinois, California, Maryland and other states. The U.S. spice industry is a small but important part of the food industry and ASTA members manufacture and market most of the spices sold in the United States.

The Production of Spices and ASTA's Commitment to Safety

ASTA has a long-standing commitment to food safety and to working with the Food and Drug Administration (FDA) to ensure the safety of the spices our members

import into the U.S. Spices present a number of unique challenges and the industry has taken great precautions to ensure the safety of spices sold in the U.S.

Spices are not sourced from outside of the U.S. to reduce costs. Rather, with a few exceptions such as garlic, onion and some capsicum peppers, spices cannot be grown in the U.S. The climatic conditions required for such common spices as black pepper, cumin seed, cinnamon and nutmeg result in the trade looking to countries located within about 10 degrees of the equator with tropical growing conditions. Spices are sourced from dozens of countries including India, Vietnam, Indonesia, Egypt, Grenada, and Sri Lanka.

The spice industry dates back hundreds of years with early European explorers trading in spices and as a result, the industry has a long history of experience in dealing with the unique challenges of spices. Many spices are grown in developing countries by thousands of farmers that grow, harvest and dry spices on small plots of land. Most of these countries lack the infrastructure for modern food production and a number of them do not have access to reliable sources of potable water. As a result of conditions in the growing regions, spices are particularly susceptible to microbial contamination. As a result, the spice trade takes great precautions to ensure that spices containing microbial contaminants such as *Salmonella* and *E. coli* are not introduced into the food supply before they are properly treated to remove possible microbial contaminants.

A variety of microbial reduction techniques are employed once spices arrive in the U.S. to assure that spices are safe for consumers. For entry into the U.S. and eventual release by the FDA, standard industry practice for many years has been to sample and test spices and then to treat when necessary to ensure the spices are safe. ASTA and the FDA jointly developed a process validation program released in 2001 that established protocols for treating spices with gas, steam and irradiation. The protocols are based on standard validation methods and “hazard analysis critical control point” (HACCP) principles.

The NCFIA Proposal

The genesis of the current discussions about a possible NCFIA testing program was a pilot program conducted in 1994 in the FDA’s New York District. The stated objective of the program was to “test an approach that may expedite clearance of seafood entries – while not compromising public health or exposure to possible risk.” Because of a recent request by an ASTA member, NCFIA looked to revive that project and extend it to some other imported food products.

In ASTA’s opinion, the intent in the recent discussions of a revival of the previous 1994 program was to explore ways to provide assistance to FDA to help the agency reduce delays at the ports for food products that were being held for sampling and testing – it was not to develop an alternative to FDA testing. It had been brought to our attention that numerous spice shipments were held but then released before being sampled and tested because FDA did not have sufficient staff to conduct the sampling and testing.

Because of the unique challenges posed by spice production, ASTA believes that appropriate sampling and testing is critical to assuring the safety of spices to be sold in the U.S. ASTA has never sought to replace FDA sampling and testing, but has rather worked with FDA to supplement the agency's programs to ensure all spice shipments that the FDA wanted tested would be tested thereby helping to assure a sufficient supply of safe, wholesome spices.

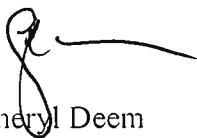
ASTA's Response to Your Request for Information

ASTA is pleased to comply with your request for records relating to the NCFIA draft import pilot test. Enclosed you will find all records that ASTA has that are responsive to your request.

We have included the rosters for the 2006-2007 and 2007-2008 ASTA Government Relations Committee and ASTA Boards of Director, as it is those two bodies that either discussed or were aware of discussions related to the NCFIA proposal. Also included are handwritten notes from two NCFIA meetings during which the proposal was discussed and emails related to the NCFIA proposal. We have also included excerpts from Government Relations Committee meetings during which the proposal was discussed as well as excerpts from committee reports to the Board of Directors. Excerpts from minutes of the Board of Directors are also provided showing that the reports were received, but that there was no discussion of the proposal.

ASTA has a long-standing commitment to ensuring the safety of its members' products and ensuring that American consumers can rely on the safety of the spices they consume. We would be pleased to respond to any questions or additional requests for information that you may have.

Sincerely,



Cheryl Deem
Executive Director

Enclosures