

July 13, 2004



Docket Clerk,
USDA/FSIS,
Room 102 Cotton Annex Building,
300 12th Street, SW
Washington, DC 20250-3700

Dear Docket Clerk,

Re: **Docket Number 04-003N**

I would like to provide our company's comments on the proposed plan to disclose information referenced in **Docket Number 04-003N**.

We are not a large company but we do spend a considerable research and development investment to develop new food products. Some of these products are under USDA/FSIS supervision while others are not. Some of these products are developed over a long period of time and can exceed a year or two in development. Based on our most recent experience with the "New Technology Approval" process, it can take another year to receive approval from the USDA/FSIS to produce a product. Our investment easily exceeds several hundred thousand dollars to develop a new product. We are very protective of our development work invested. As a company we feel it is very inappropriate for the USDA/FSIS to disclose any technical information beyond the project name, submitter's name and the approval date of the submitted request.

It is our understanding the FSIS intent is to "increase public and industry awareness of new technologies and to foster their use by small and very small plants." As a regulatory agency we do not believe it is the role of the FSIS to be concerned about sharing new technologies developed by a company with other companies in the industry.

Our industry is very competitive so each company is searching for a strategic advantage to provide a new product concept to the market. The developmental work is highly proprietary. The FSIS proposal would remove the opportunity for a company to develop a new product without notifying the competition of the future marketing plans. Again, we do not believe this is the role of the USDA/FSIS.

The proposal only identifies disclosure of new technology in the meat, poultry and egg products segments. We feel the government is unfairly isolating a small portion of the very large food industry through this plan. We feel it is inappropriate to penalize companies within these food segments with the disclosure of a company's development of a new technology.

As noted earlier if any disclosure must be made it should only include the following information ... project name, submitter's name and the approval date of the submitted request. All other information should be considered proprietary.

Thank you for your consideration of our concerns.

Regards,


Jon Luikart
President & CEO