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19 August 2005

FSIS Docket Clerk
Docket #95-015P
U.S. Department of Agriculture
Food Safety and Inspection Service
Room 102 Cotton Annex
300 12th St., SW
Washington, DC 20250

95-051P
95-051P-9
James W. Lamkey, Ph.D.

RE: Proposed Rule: Modernize Principles for Standards of Identity

FMC Biopolymer commends the FDA and FSIS for initiating steps to update regulations pertaining to antiquated standards of identity for food items. This change in policy has the potential to allow more latitude for food products that are better adaptable to the time-strained and nutrition-conscious consumer.

Food standards were first established at a time when mandatory ingredients dictated by a standard were exempt from ingredient labeling. With the passage of the Nutrition Labeling and Education Act (1990), it was mandated that all ingredients appear on the label. Ingredient statements along with nutritional labeling give consumers enough information to make informed decisions on the type of product desired without restricting food scientists from perfecting products for varied applications. Consumers do not ask the government to dictate what is in the product, but rather, guarantee wholesome, safe and easily identifiable ingredients for making responsible purchase decisions. Modern consumers, armed with information regarding links between nutrition and health, feel that a low-fat/low-salt product may be of a higher quality than a traditional product. In addition, consumer lifestyles suggest making products more convenient while maintaining palatability is a desirable trait. Maintaining the standards of identity as they are today limits the types and quantities of products that can be designed by food technologists.

In addition to focusing on the nutritional components of food products, processors as well as consumers focus on the non-traditional medium for consuming these products. Today, 49% of meals are not prepared at home, and many of these meals require reheating or holding at high temperatures for long periods of time. The palatability of these foods can be compromised without the addition of ingredients that aid in the retention of moisture.



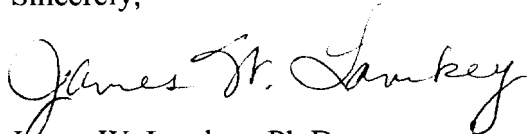
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Antiquated standards impede the food industry's ability to offer a range of products that meet consumer expectations and preferences.

A previous ruling eliminating the standards of identity for pizza states "The agency believes that if a new product formulated with less meat or sausage does not meet consumer expectation, consumers are not likely to purchase the product and it will fail in the market place". Consumers are very capable of selecting products that meet their nutritional, preparation and economic needs. The agency also indicated that "...required labeling features, such as product name, ingredient statements, and nutrition facts panel will provide adequate information for consumers to make informed choices when purchasing federally inspected pizza products". By the agency's own admission, consumers are very capable of using their dollars to decide the acceptability of a food product.

Consumer choice plays a more significant role in the success of a product in the market place than does the establishment of standards. Safety, nutrition and convenience has a greater effect on consumer choice than do regulations limiting the use of approved ingredients. The elimination of standards should give Food Technologists the ability to improve current offerings.

Sincerely,

A handwritten signature in cursive script that reads "James W. Lamkey". The signature is written in black ink and is positioned above the typed name.

James W. Lamkey, Ph.D.
Global Technical Manager
FMC Biopolymer