



Kraft Foods

Jean E. Spence
Vice President
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September 14, 2001

Dockets Management Branch (HFA.305)
Food and Drug Administration
5630 Fishers Lane, Room 1061
Rockville, MD 20852

Re: CFSAN 2002 Priorities
66 Fed. Reg. 37480, July 18, 2001
Docket No. 98N0359

Dear Sir or Madam:

Kraft Foods, Inc., is the largest branded food and beverage company headquartered in the United States and the second largest in the world'. Each year, Kraft is responsible for introducing into commerce about 14 billion individual packages of food. Our brands are found in more than 99% of all households in the U.S.² We have followed and participated with FDA in the creation and implementation of the programs and priorities of CFSAN. Accordingly, Kraft has a very substantial interest in the development and implementation of effective food regulatory programs.

Kraft commends FDA for utilizing the CFSAN priority list as an effective management tool with limited resources. Further, we applaud CFSAN's continued efforts to involve all stakeholders in the priority process. We support the emphasis on the broad categories of food safety, food additives, food biotechnology, and food labeling. For instance, priorities such as completing the *Listeria* action plan, formulating a rational biotechnology policy, and exploring options to inform consumers about allergens in a meaningful way are consistent with the Agency's agenda.

For the Agency's FY 2002 plan, Kraft recommends that CFSAN include the following items among its highest priorities.

New Technology. Kraft notes that advances in food processing techniques and ingredient technologies that would result in significant improvements in food safety, quality and cost, often encounter many barriers in existing food standards. The continued ability of U.S. companies of all sizes to participate in world trade will often depend on a regulatory environment favoring adoption of such innovations.

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¹ "Kraft Foods" and "Kraft" both refer to Kraft Foods North America, Inc., including its wholly owned subsidiary Kraft Foods International, Inc. The company's pro forma revenue, including Nabisco, for the year 2000 was roughly \$35 billion.

² This level of market penetration is based on statistics gathered by A.C. Nielsen.

This is perhaps nowhere more apparent than in dairy standards. Kraft urges FDA to work with USDA to ensure that the rapid application of important innovations in food production, as well as revision of food standards, is a high priority in FY 2002. FDA needs to update and modernize or repeal many outdated standards not only to acknowledge new technology, but also to fulfill its regulatory function to maintain and administer the food standards program. Rather than begin a new process, we suggest that FDA revive and complete the initiative on revising food standards of identity from several years ago by eliminating and/or modernizing the standards in accordance with responses to the ANPR.

International Trade. The global marketplace is a reality for companies large and small. We recommend CFSAN continue to contribute to the leadership role of the U.S. in international venues, such as Codex and WTO, which can influence world trade. Thus, U.S. positions must be grounded in sound science and reflect current best practices as a basis for negotiations. However, since two of our 'largest trading partners are Canada and Mexico, Kraft encourages FDA to enable North American Trade to be as seamless as possible. In particular, as a guiding principle, there should be more cooperation for coordination among the three countries on food regulations concerning nutrition, labeling, ingredient approvals, inspection practices, and contaminants.

Food Safety. Kraft strives to be a leader in the development and implementation of science-based programs and technologies designed to enhance food safety. In recent years, we have learned a great deal about food safety programs and techniques that work much more effectively than those previously in place, as well as those that did not prove to be as effective as intended. Our successful programs have been based on the FDA Good Manufacturing Practices (GMP) requirements. In particular, we support FDA's approach to GMP which sets overall goals and requirements as a foundation for food safety, but allows manufacturers the flexibility to achieve these goals using the most up-to-date and efficient techniques suited to their individual environments. Kraft encourages FDA to promote this approach as the fundamental principle of a sound federal food safety program. We look forward to working, with the Agency in the development and implementation of new technologies and programs to continue to reduce foodborne illness.

Kraft recognizes that food safety and the Food Safety Initiative have a pre-eminent position in CFSAN's priority list. We urge the Agency to consider these comments as priorities consistent with other important Agency functions. Simply, we encourage the Agency to advance new science and technology to expedite applications that will improve food safety, quality and cost. In addition, we encourage strong cooperation to enable seamless trade.

Respectfully Submitted,



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Kraft Foods North America, Inc.

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