United Tuna Cooperative

2535 Kettner Blvd. Suite 3c1
San Diego, CA 92101
Phone: 619-238-1838
Fax: 619-238-1708
E-mail: krampepaul@aol.com

September 17, 2001

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

Re: Docket No. 98N-0359
Program Priorities in the Center for
Food Safety and Applied Nutrition;
Request for Comments

Dear Dockets Manager:

Please be advised that the members of the United Tuna Cooperative are herein submitting our comments on the above referenced Federal Register notice. Our members are U.S. flag purse seiner owners that operate their fishing vessels in the Western Pacific Ocean (WPO). The majority of our tuna catches are sold to canneries in American Samoa. Every individual in our organization has been in the U.S. tuna business for over 25 years. Last year, our member vessels caught about 70,000 tons of tuna. That is enough to pack about 300 million cans of tuna.

We strongly urge the FDA to give the highest program priority, "A" to the U.S. Tuna Foundation's Citizen's petition to amend the portions of the canned tuna standard (21 CFR 161.190). This is a modified version of a citizen's petition that was originally submitted in 1994. The amendment to the canned tuna standard has been on the CFSAN "B" list for two years already.

It has been very painful for our industry and for the American consumer to suffer through this time period during which little or no action has been taken on these petitions. The proposed changes are unopposed. They are beneficial to consumers and to the industry. These changes will give the consumer more value for their money. Regulatory agencies will be able to more easily check to make sure that manufacturers are placing the declared amount of tuna in the can. Consumers will be buying less additives and valueless liquid and more tuna. American consumers will be able to buy product of a similar appearance quality level as is supplied to most other major tuna consuming nations. These changes are supported by the entire US tuna industry.

It is critical that the canned tuna Standard of Identity be changed to ensure that all canned tuna sold in the US has the proper amount of tuna in the can and that the product is not excessively manipulated with additives and extenders. Our members feel that such relatively

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simple and unopposed changes to the Standard of Identity should be able to be implemented quickly. We understand that the U.S. FDA Office of Seafood, itself, is fully in support of the requested changes.

More specifically, the requested changes:

- Eliminate pressed weight methodology for checking fill of container. The pressed weight standard is too complicated and few regulatory agencies have the proper equipment, or trained personnel to check drained weights.

- Require drained weights to be shown on the label. This will give the consumer a much clearer understanding of how much tuna is in the can. Unlike some other products, no one uses the liquid in a can of tuna, so why should net weight be used exclusively in the label declaration?

- Place controls on the use of additives in canned tuna. If someone wants to manipulate the amount of fish going in the can with excessive additives, it should be called tuna spread or something similar and not canned tuna.

- Harmonize the standard of fill of container for canned tuna with international standards so that U.S. consumers will be equally well informed as foreign canned tuna buyers.

- Require that the standard of fill of container for canned tuna is not less than 72% of the net weight of the container. This will further ensure that U.S. consumers will be buying a product that is fundamentally a can of tuna and not tuna "soup" that has excessive amounts of water, or oil in it.

If the requested changes cannot be implemented during 2001, we strongly urge you to give the highest priority to the subject citizen's petition in the CFSAN 2002 priorities.

Thank you for your consideration.

Sincerely,

Paul Krampe

Paul Krampe
Executive Director

Members:

Louis Castagnola, Leslie Chikami, Avelino F. Gonsalves, Italo J. Cileu,
William M. Sardinha, Randall DeSilva, Manuel A. Silva, Frank Souza Jr., Frank Souza Jr.

Subj:	**Docket No. 98N-0359**
Date:	9/17/2001 1:59:15 PM Pacific Daylight Time
From:	KRAMPEPAUL
To:	fdadockets@oc.fda.gov
File:	**FDA SOI PRIOITY REQUEST 091701.doc** (50688 bytes) DL Time (32000 bps): < 1 minute

Please find attached a "WORD" document that is in response to the Federal Register notice Docket No. 98N-0359.

Sincerely,
Paul Krampe
United Tuna Cooperative
Phone: 619-238-1838

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2535 Kettner Blvd. Suite 3c1
San Diego, CA 92101

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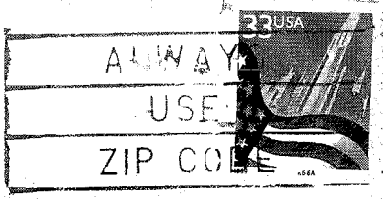

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