

MEMORANDUM OF MEETING

Date: September 25, 2000

Place: FDA, Center for Food Safety and Applied Nutrition, Washington, D.C.

Participants:

Industry

John R. Cady, National Food Processors Association (NFPA)
Rhona Applebaum, National Food Processors Association (NFPA)
David Burney, U.S. Tuna Foundation
Don Binotto, Starkist, H.J. Heinz
Dennis Mussell, Chicken of the Sea International
Chris Lischewski, Bumble Bee
Jim Heimback, ENVIRON
Chris Whipple, ENVIRON
Judith Douglass, ENVIRON
Joseph Rodricks, Life Sciences Consulting

FDA

Joseph A. Levitt, Director, Center for Food Safety and Applied Nutrition (CFSAN), HFS-1
Janice F. Oliver, Deputy Director, Center for Food Safety and Applied Nutrition, HFS-3
L. Robert Lake, Director, Office of Regulation and Policy, HFS-4
Philip C. Spiller, Director, Office of Seafood, HFS-400
Elizabeth A. Yetley, Lead Scientist for Nutrition, Office of Science, HFS-6
Robert L. Buchanan, Senior Science Advisor, Office of Science, HFS-6
P. Michael Bolger, Director, Division of Risk Assessment, Office of Plant Dairy Foods and Beverages, HFS-355
Ellis M. Norris, Policy Analyst, Executive Operations Staff, HFS-22

Subject: Issues Related to Methylmercury (MeHg)

Representatives of the National Food Processors (NFPA) and the canned tuna industry requested this meeting with representatives of the Center for Food Safety and Applied Nutrition (CFSAN). Discussed were the findings in the National Academy of Sciences (NAS) Report on the Toxicological Effects of

Methylmercury and their potential impact on FDA's regulation of seafood. Mr. Levitt opened the meeting by explaining that methylmercury in seafood is very important safety issue and the Agency must consider the NAS report findings. He promised to be open to hearing industry's points of view on the issue.

During their presentations and discussions, industry representatives emphasized that methylmercury in seafood is an important issue for the canned tuna industry. They expressed particularly concern about the response that FDA might have to the upcoming EPA announcement on methylmercury in seafood. The following were among the major points made by industry representatives:

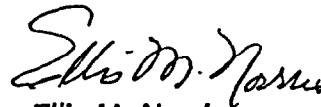
- Canned tuna is safe at the current FDA action level of 1 ppm for methylmercury. They pointed out that the methylmercury levels in canned tuna are actually significantly lower (approximately .17 ppm) than the FDA action level.
- Findings in the NAS report should not be used as the sole basis for making decisions on methylmercury in seafood. They stated that the results of other studies, including data from NHANES IV and Seychelles Island study, should be thoroughly evaluated and considered before a decision is made. They further stated that a decision that does not consider these data would be inappropriate and would do irreparable damage to the canned tuna industry.
- The health benefits of seafood products need to be considered in any regulatory decision. They pointed out that seafood in general and canned tuna in particular are good sources of high quality protein and valuable vitamins and minerals. They also noted that these products are low in saturated fat and cholesterol.
- An advisory that results in a significant reduction in the consumption of fish protein would be contrary to nutrition advice given to consumers in recent decades. They suggested that, since there are few good alternatives that have the nutritional benefits of seafood, this kind of advisory could have an adverse impact on consumer health.

Other industry views regarding methylmercury in seafood are found in the attached report submitted by NFPA.

Mr. Levitt explained that he believes the Agency has about 60 days to make a decision on what its response will be to findings in the NAS report. He indicated that a decision should be made by Thanksgiving on whether FDA should issue an advisory on seafood consumption and what that advisory should be. He noted that the 60-day time period will provide opportunities for FDA to consult with its constituents and the various other agencies involved in the issue.

During the discussion, representatives of industry mentioned that they have data on the per capita consumption of canned tuna. Mr. Levitt urged the industry to update this information along with any other relevant data they have on methylmercury and submit those to both EPA and FDA.

Mr. Levitt thanked the representatives of industry for being well organized in their presentations and for digging into the science on this issue. He indicated that the Agency would do its best to come up with the right decision. The representatives of industry thanked Mr. Levitt and other representatives of CFSAN for their time and stated that they look forward to having further discussions on this matter.


Ellis M. Norris