



News You Can Use

JANUARY 21, 2005 -- **FDA Final Rule on Food Tracking — Cheese Importers Association of America Reports**

In a recent memo from the Cheese Importers Association of America, Chief Counsel Richard Koby details the December 9th, 2004 final rule of the Food and Drug Administration (FDA) to implement new food recordkeeping requirements under Section 306 of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002.

"The purpose of the final rule," writes Koby, "is to give the FDA the information it needs to efficiently conduct a tracing investigation in the event of a food emergency." The final rule applies to domestic persons who manufacture, process, pack, transport, distribute, receive, hold, or import food in the United States, unless they qualify for a specific exclusion; and foreign persons who transport food in the United States, unless they qualify for an exclusion. The rule does not apply to foreign food facilities.

Retail food establishments that employ 10 or fewer full-time equivalent employees are exempt from the final rule's recordkeeping requirements. In the event of a food emergency, these smaller retailers would be required to give the FDA access to its records in whatever form the records were maintained.

Recordkeeping details include, but are not limited to: The food source, including the name of the firm, address, telephone number, and (if available) fax number and e-mail address; an adequate description of the type of food, including brand name and specific variety; and the date the food was received.

"Retailers will be impacted indirectly," says Koby of the rule. The FDA has estimated the additional cost of compliance with the new recordkeeping will be approximately \$414 million in the first year. "They could be off by a lot, but I bet it won't be less expensive than they've estimated," asserts Koby. Every domestic food processor, transporter, distributor, and retailer with 11 or more full-time employees will absorb part of these additional costs. As a result, says Koby, "I don't think there's going to be a major cost impact, assuming the FDA's estimate is correct."

The final rule permits records to be kept in any format (paper or electronic), provided such records contain all required information. A firm's existing records, such as purchase orders, bills of lading, and shipping documents, may be used to satisfy this new recordkeeping requirement. Thus, the new regulations do not require new record systems or duplication of existing records.

If and when the FDA has "a reasonable belief that an article of food is adulterated and presents a threat of serious adverse health consequences or death to humans or animals," the required records must be made available "as soon as possible, not to exceed 24 hours from the time of receipt of the official request."

All persons covered by the final rule must comply by December 9th, 2005, with the exception of "small" or "very small" businesses. Small businesses (those with 11 to 499 full-time equivalent employees or FTEs) must comply by June 9th, 2006, and very small businesses (those with 10 or fewer FTEs) must comply by December 9th, 2006. The size of a business is determined by using the total number of FTEs in the entire business, not each individual location. For more information, visit www.fda.gov.

Expansion Ahead for Heritage Foods USA

Heritage Foods USA, which began in 2001 as a campaign to save rare breeds of American turkeys from extinction, has blossomed into a business focused on traditional American foods, such as wild salmon, grass-fed bison, Bronze turkeys, and wild rice. The company will debut its first catalog of food products in March 2005.

Originally formed as the sales and marketing arm for Slow Food's Heritage Turkey Project, which helped double the population of heritage turkeys in the United States, Heritage Foods USA is now an independent company led by Patrick Martins, founder of Slow Food USA, and Todd Wickstrom, former managing partner of Zingerman's Delicatessen in Ann Arbor, Mich.

With the goal of preserving the genetic diversity of the food supply and providing economic stimulus to rural communities, Heritage Foods is building a coalition of farmers and developing systems that track the farm an animal was raised on,

what the animal was fed, and where and when the animal was slaughtered. "The idea is not only to help small farmers, but to create a fully traceable food supply with labeling and certification," explains Wickstrom. For more information, visit www.heritagefoods.com.

Wisconsin Cheese Comes of Age

According to the latest cheese trend report from the Wisconsin Milk Marketing Board (WMMB), 2005 promises to be a very good year for specialty cheese. Among its baker's dozen of top cheese trends expected to influence consumer habits this year, the WMMB anticipates a "proliferation of pairings."

While wine-and-cheese pairings are a culinary classic, the WMMB finds everything from ales and stouts to sour apple martinis are poised to pair with cheese. Perhaps one of the most creative pairings suggested by the WMMB is pairing different wines with a flight of cheese. The idea was inspired by the Immigrant Room at the American Club, a AAA 5-Diamond facility in Kohler, Wis., which offers a Cheddar flight that includes fresh curds and one-, three-, five-, seven-, and 10-year-old Cheddars. A Wisconsin Blue flight is also offered.

For more information on Wisconsin cheese, visit www.wisdairy.com.

Fabrique Delices Celebrates its 20th Anniversary

Fabrique Delices, a manufacturer of all-natural pates, mousses, sausages, smoked meats, foie gras, and other specialties, is celebrating its 20th anniversary this year. Founded in 1985 by Co-Owners Marc Poinsignon and Antonio Pinheiro, Fabrique Delices attributes its two decades of success to a commitment to quality, tradition, service, and continual innovation.

From whole duck foie gras to pork-free truffle mousse, Fabrique Delices has established a reputation for artisanal charcuterie. Now, the company produces more than 100 products, including all-natural pates, mousses, duck foie gras, magret, duck confit, duck rillettes, and sausages for specialty food stores, restaurants, hotels, airlines, and cruise lines.

For more information, call 510-441-9500.

New Cheese Festival Launched

DeLaurenti Specialty Food and Wine has announced the launch of an artisanal cheese festival, DeLaurenti's Seattle Cheese Festival. Scheduled for May 14-15, 2005, at Pike Place Market, the free public event will feature cheese and cheese producers locally and from around the world; exhibits that will educate, sample, and sell cheese and fine food; children's activities; and a wine garden where consumers can sample wine-and-cheese pairings. Seminars featuring local and national cheese experts covering topics from "The Art in Artisanal Cheese Making" to "Perfect Pairings: Finding Great Matches for Cheese" will be held. Essential Baking Company is the event's official bread sponsor and DPI-Northwest is the official cheese distributor. For more information, visit www.SeattleCheeseFestival.com.

Animal Compassion Foundation Created

Whole Foods Market is creating the Animal Compassion Foundation, an independent, nonprofit organization created to assist and inspire ranchers and meat producers around the world to achieve a higher standard of animal welfare excellence, while still maintaining economic viability. The fund will be launched January 25, 2005, with five percent of total company sales being allocated from stores in the United States, Canada, and the United Kingdom. For more information, call 512-485-3600.

New Acquisition for Lactalis

French dairy product company Lactalis has acquired Haute Savole-based cheesemaker Pochat. The family-run firm produces 9,000 tons of regional cheeses annually. For more information, call 212-758-6666.

New Meat and Poultry Web Site

The Meat and Poultry Communications Alliance has unveiled a new web site that offers consumers and the media quick and easy meat and poultry nutrition information. The site includes scientific reference sections on dietary fat, protein, weight loss and portion size, a recipe section, frequently asked questions, and a list of third-party experts who can provide background and comment. For more information, visit www.meatpoultrynutrition.org