



National Grain and Feed
Association



North American Export
Grain Association

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April 13, 2005

Bernice Slutsky, Ph.D.
Special Assistant to the Secretary for Biotechnology
U.S. Department of Agriculture
Office of the Secretary
1400 Independence Ave. SW
Washington, DC 20250

Dear Dr. Slutsky:

The National Grain and Feed Association and North American Export Grain Association appreciate the opportunity to provide input on the U.S. delegate's recommendations on projects for the Codex Intergovernmental Ad Hoc Task Force on Foods Derived from Biotechnology.

The NGFA consists of approximately 900 grain, feed, processing and grain-related companies that operate about 5,000 facilities that store, handle, merchandise, mill, process and export more than two-thirds of all U.S. grains and oilseeds. Also affiliated with the NGFA are 36 state and regional grain and feed associations.

NAEGA, established in 1912, is comprised of private and publicly owned companies and farmer-owned cooperatives involved in and providing services to the bulk and oilseed exporting industry. NAEGA member companies ship practically all of the bulk grains and oilseeds exported each year from the United States.

In your role as the U.S. delegate to the ad hoc task force, we compliment you for including the project on "Low Level Presence in Foods of Plant Material Derived from Recombinant-DNA Plants" in the list of activities to be undertaken by the ad hoc task force. We agree with your characterization at the April 7, 2005 public meeting that this is an "extremely important" project.

The project description implies that it would be limited to crops undergoing field trials or crops that are no longer in commercial production (so-called "heritage events") but may be found at low levels in food. Clearly, developing science-based guidelines for

addressing both situations are important goals and progress on both would be a positive step forward.

However, the U.S. needs to be prepared should some countries misinterpret the intent of addressing the low level presence of events undergoing field trials as an attempt by the U.S. to address lax enforcement of regulatory requirements. We urge USDA to carefully consider how it might allay such concerns should they arise.

Moreover, we are disappointed that the project seems to exclude the low level presence of crops that may be approved in an exporting country but lack full approval in an importing country. Finding a global solution to this so-called "asynchronous approval" issue is a top priority for the NGFA and NAEGA, and we believe it would be a strategic mistake to exclude it from the project. In fact, developing guidelines for the low level presence of crops that have been registered and found safe in an exporting country could be more acceptable because it could not be interpreted as a failure of government oversight.

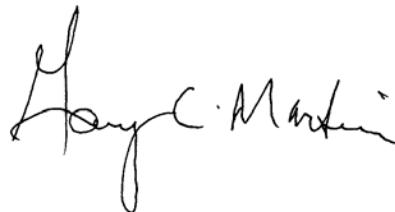
In conclusion, the NGFA and NAEGA strongly support the task force undertaking a project to address the low level presence in food of biotech crops. We believe finding solutions to the "asynchronous approval" and "heritage events" issues are highest priorities with the most benefits to U.S. agriculture. Both of these matters relate to products that are not under active regulatory jurisdiction but may well be found in U.S. grain because they have been deregulated. On the other hand, field trial events are still under regulatory control.

Thank you for allowing us to provide this input. Please feel free to contact us if we can be of further assistance in this matter.

Sincerely,



Kendell Keith, President
National Grain and Feed Association



Gary C. Martin, President and CEO
North American Export Grain Association

Cc: Eric Flamm, Ph.D., U.S. Food and Drug Administration