

May 11, 2004

Dockets Management Branch
U.S. Food and Drug Administration
5630 Fishers Lane, Room 1061
Rockville, Maryland 20852

Dear Sir/Madam:

The National Coalition of Food Importing Associations (NCFIA) is pleased to submit comments to the Food and Drug Administration (FDA) on the Registration of Food Facilities Under the Public Health Security and Bioterrorism Preparedness and Response Act of 2002; Reopening of Comment Period, 69 Fed. Reg. 19766 (April 14, 2003).

NCFIA is a coalition of trade associations that represent different segments of the food importing community. Members of NCFIA include the following associations: American Spice Trade Association, Cheese Importers Association of America, Association of Food Industries, The Cocoa Merchants' Association of America, and the National Fisheries Institute. Companies belonging to NCFIA members annually import over \$13.5 billion in food products.

In the notice reopening the comment period on the registration of food facilities interim final rule, FDA poses several questions. FDA is specifically seeking information regarding the costs to foreign facilities to hire and retain a United States agent. FDA further is asking for evidence of any foreign businesses that have ceased exporting to the United States because of the registration requirement.

In NCFIA's experience, the costs and inconvenience to foreign facilities to register and retain a United States agent have not been prohibitive. NCFIA members have not had the personal experience of a potential supplier declining to undertake importation into the United States due to registration or agent concerns. While aspects of FDA's interim final rules have increased the costs to do business in the United States, NCFIA is not aware of any companies that have ceased doing business in the United States because of the costs associated with registration and acquisition of a U.S. agent.

NCFIA sincerely thanks FDA for its efforts to create a smooth and workable facility registration system. Our members are committed to continuing to work with FDA to assure a balance of food security needs and commercial realities.

Very truly yours,
Richard H. Koby