

August 2, 2011

Mr. Michael Kaszyski
CDG Environmental, LLC
205 Webster St., Suite 100
Bethlehem, PA 18015

Dear Mr. Kaszyski:

This letter is in response to your June 13, 2011 e-mail notification request to use chlorine dioxide as an antimicrobial agent in water used in poultry processing (Log No. 11-ING-0798-N-A).

In reviewing your information it was discovered that the Food and Drug Administration (FDA) had received a Food Contact Notification (FCN) from your company on June 25, 2010. FDA issued their decision on FCN 1011 with an effective date of October 28, 2010. FDA concluded that there were no safety issues.

The Food Safety and Inspection Service (FSIS) has completed its review of the information, including the FCN 1011 information. FSIS agrees with FDA's conclusion that the technical effect of chlorine dioxide as an antimicrobial agent at the concentration specified in FCN 1011 had been adequately demonstrated to FDA and FSIS when 21 Code of Federal Regulations (CFR) 173.300 was first promulgated. The only change you are requesting and have adequately shown to FDA and FSIS is that the chlorine dioxide produced by your generation method is equivalent to the chlorine dioxide generated by the methods described in 21 CFR 173.300.

Thus, the FSIS has no objection to the use of an aqueous solution of chlorine dioxide as an antimicrobial agent in water used in poultry processing at a level not to exceed 3 ppm residual chloride dioxide using your chlorine dioxide generation method. This would be determined by Method 4500-CIO₂ E in the "Standard Methods for the Examination of Water and Wastewater," 20th ed., 1998, or an equivalent method.

This letter should not be considered as validation that your chemical or process would be effective in any particular official establishment.

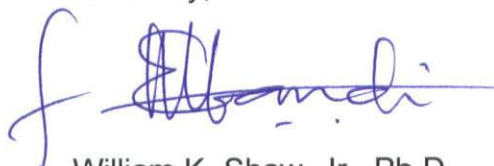
The use of this ingredient, as described in your notification, will need to be addressed in the hazard analysis. Where appropriate based on the decisions made in the hazard analysis, the ingredient application must be incorporated into a Hazard Analysis and Critical Control Point (HACCP) plan or written Sanitation Standard Operating Procedures (SSOPs) or other prerequisite program. The ingredient's application procedure must be validated under in-plant conditions and verified on an "on-going"

basis for its effectiveness. If the establishment does not address the effects of using this ingredient in its hazard analysis, FSIS would be unable to determine that product processed using this ingredient is not adulterated, and therefore the product would not be eligible to bear the mark of inspection.

Any future changes or revisions to your June 13, 2011 notification are to be submitted to the Risk, Innovations, and Management Division (RIMD) as a revised notification prior to implementation. A copy of this letter should be provided to each establishment and made available for the FSIS inspector's review prior to its use.

If you have any further questions, please contact Dr. David Zeitz at (321) 327-2576 or David.Zeitz@fsis.usda.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "W. K. Shaw, Jr.", with a stylized flourish extending to the left.

William K. Shaw, Jr., Ph.D.
Director
Risk, Innovations, and Management Division
Office of Policy and Program Development