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May 16, 2008

Mr. John D. Dingell, Chairman
U.S. House of Representatives
Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, D.C. 20515-6115

Dear Representative Dingell,

This response is sent in reference to your May 8, 2008 letter, requesting information on issues related to the safety of the Nation's food supply.

Tree Top, Incorporated is a grower cooperative located in Central Washington, with six operating plants in Washington, and one in California. The Washington plants are located in close proximity to the orchards owned and operated by the grower-owners of the cooperative.

All products produced by any of our plants are considered high acid products, with pH values of less than 4.25. Most of our products are in the range of pH values of 3.3-4.0. This range of pH values provides natural protection from the organisms that are food safety concerns, such as Clostridium botulinum.

As to your specific questions,

1. A list of food recalls and food safety alerts issued by our company on or after January 1, 2000.

   Not a single food recall or food safety alert was issued during the time specified.

2. For each brand or kind of product, list all instances when internal microbiological testing was found to be positive for the presence of *E.Coli, Salmonella, Cyclospora cayetunensis, Cryptosporidium*, hepatitis A. *Clostridium botulinum,* or *Listeria* in excess of the highest limit acceptable to FDA or any State regulatory authority on or after January 1, 2000.

   Tree Top, Incorporated has not found any positive test result for any of the noted species, through any internal testing programs for all of our brands or kinds of products during the time specified.

3. For each brand or kind of product, list the instances when internal testing was found to be positive for the presence of a chemical contaminant at levels in excess of the highest limit acceptable to FDA or any State regulatory authority on or after January 1, 2000.

We are assuming natural toxins, including Mycotoxins, are included in "Chemical contaminants". The FDA compliance guideline for Patulin in apple juice is 50 ppb (parts per billion). Since the HACCP regulation was instituted, Tree Top had one instance in which a finished product result was in excess of 50 ppb patulin. This occurred in October, 2005, in our Prosser, Washington plant. The product was apple juice concentrate. The product stayed completely under Tree Top control, and was diverted into a non-juice application. No lot of product exceeding FDA established guidelines was distributed to the trade.

4. For products imported into the United States for handling or processing by any facility operated by our firm, list the instances when internal or outside laboratory testing was positive for the presence of either a chemical or microbiological contaminant in excess of FDA or State regulatory limits on or after January 1, 2000.

   Tree Top, Inc. does import several ingredients from foreign countries, such as Apple Juice Concentrate and Ascorbic Acid from China. We have no internal or outside test result showing a violative chemical or microbial level.

5. For each of the above items, please specify whether FDA was notified, and if not, why not.

   No incidents occurred, either recalls or distribution of product with violative Chemical or Microbiological levels. Therefore FDA was not notified of any of the above items.

6. Please supply a list of all instances where FDA or any State regulatory agency was denied entrance to any facility, foreign or domestic, or denied access to any records regarding microbiological or chemical testing performed on products processed at the facility on or after January 1, 2000.

   Neither FDA nor any State regulatory agency was denied access to our facilities, nor were they denied access to any records regarding microbiological or chemical testing. Due to company policy regarding inspections, some delays may have occurred as the plant consulted the Director of Corporate Quality and Food Safety to access records that are stored at the Corporate Offices.

Respectfully submitted,

Thomas P. Stokes
President and CEO