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May 28, 2008

The Honorable John D. Dingell
And
The Honorable Bart Stupak
U.S. House of Representatives
Committee on Energy and Commerce
Washington, DC 20515-6115

Dear Chairmen Dingell and Stupak:

This letter is in response to your letter dated May 8, 2008 requesting information in support of your investigation of the safety of the food products Americans purchase and consume, and specifically the microbiological and/or chemical contamination that occurs during food production and the effectiveness of the controls designed to prevent or eliminate these risks. Mr. Nelson kindly granted us an extension of time until May 29, 2008 to respond to your inquiries.

By way of background, Rich Products Corporation is a family held company founded in 1945 which produces and distributes frozen products primarily to the in-store bakery and foodservice industries. The majority of our product portfolio consists of breads, rolls, non-dairy toppings and desserts. Rich's also produces meatballs, barbecue, ready-to-eat meats, specialty seafood and appetizers. Most of Rich's products are either used as components or baked and finished at the in-store bakery or restaurant operator level. These products are most often served as part of a restaurant meal or placed behind a bakery counter at a supermarket.

To respond to your inquiry, Rich's gathered information from each of our nineteen domestic manufacturing facilities as well as our Canadian and Mexican subsidiaries

John D. Dingell
Bart Stupak
May 28, 2008
Page 2

which import into the United States. We did not include data from facilities outside the United States that do not import into the United States.

With regard to the specific timeframe of the information requested, it is Rich's policy to retain records relative to quality and product production for a period equal to the current year plus three (3) years. Our policy, which is attached, complies with the record retention requirements in 21 CFR 1.360 and exceeds the applicable shelf-life of all of our products.* The seafood, meatball, barbecue and appetizer division (previously operated as a subsidiary) has followed a five (5) year record retention policy. Additionally, a number of our facilities have been acquired during the relevant time frame and have been operated by Rich's for only a portion of the relevant period. For these reasons, Rich's records with respect to the earlier years for which you have requested information are incomplete. Where we have information beyond the three (3) year and five (5) year record retention periods, we have included this information.

1. A list of all food recalls is attached, (Exhibit 1) including the dates of the recall, the product and/or brand affected and the reason for the recall. Based on our records and to the best of our knowledge, Rich's has had no recalls due to chemical or microbial contamination.
2. Rich's has a Hazard Analysis at Critical Control Points (HACCP) program for all of our production processes. Each HACCP plan requires a hazard analysis to identify and eliminate and monitor critical control points for microbiological, chemical, and physical hazards. We have high confidence in our HACCP plans, and they have been effective in preventing microbiological and chemical contamination.

For the products that could be compromised microbiologically, we do have a holding and testing procedure. The attached spreadsheet, Exhibit 2, lists all

*Where the schedule reflects a period of "+ 3" years, this means current year + 3years

instances when our internal microbiological testing of products was found to be positive for the presence of any of the listed microbial contaminants.

3. We have had no instances when internal testing indicated the presence of a chemical contaminant in excess of acceptable limits.
4. For products and ingredients posing a risk of microbiological contamination, Rich's practice is to require a Certificate of Analysis that certifies that imported products have been tested and have no chemical and/or microbiological contaminants in excess of limits acceptable to the USDA, FDA and applicable states. Products such as seafood are not imported unless the product had passed the applicable microbiological testing. Therefore, we have no known instances in which an imported product or ingredient had tested positive for any microbiological or chemical contaminant.
5. It has been Rich's practice to cooperate with the FDA and to keep the FDA apprised of any issues that could impact the safety of the foods we distribute. As indicated previously, Rich's record retention policy calls for a three year retention period. For recalls prior to 1/01/2005, our records are not complete, but the records that have been located contain references to FDA notification. For both of the 2008 recalls, advisory calls were made to the local FDA district office. Both of the 2008 recalls related to a labeling issue on case labels only (not labels for retail consumers) with very limited distribution. Rich's was quickly able to locate the mislabeled product and ensure that either the product was destroyed or the case labels were corrected. Publix Supermarket also notified the FDA of the March 18, 2008 recall.

With regard to the schedule of positive microbial and/or chemical contaminants, Rich's policy would be to not contact FDA of a positive test unless product had actually been introduced into commerce. Fortunately, this was not the case with any of the positive results. With regard to the three (3) positive microbial readings on meat products, those products had each been produced at plants with USDA inspectors present and the process of destruction of that product was USDA supervised.

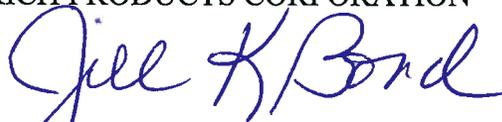
John D. Dingell
Bart Stupak
May 28, 2008
Page 4

6. It is Rich's policy, consistent with the Federal Food, Drug and Cosmetic Act (FDCA), to allow entry to FDA inspectors anytime in which a facility is open. Inspectors are asked to show credentials and provide a Notice of Inspection. We know of no situation in which an inspector has been denied access to a Rich's facility. With regard to access to records, consistent with the FDCA, inspectors are allowed access to records of raw materials and records of finished products shipped in interstate commerce, and all labeling. However, records outside the scope of these categories would generally not be provided without a written request from FDA. It is important to note however, that we know of no situation where an FDA or a State regulatory inspector was investigating an allegation regarding an illness or injury or any other complaint relative to the safety of any of our products, and been denied access to any required records.

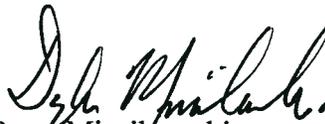
We hope that this information is helpful to the Committee. If anything further is needed, please do not hesitate to contact either of the undersigned.

Very truly yours,

RICH PRODUCTS CORPORATION



Jill K. Bond
Senior Vice President/General Counsel



Doug Miscikowski
Director of Quality Assurance

JKB/jrm
Exhibits Attached