



Bumble Bee Foods, LLC
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June 12, 2008

Via Email Only

The Honorable Bart Stupak,
Chairman,
Subcommittee on Oversight and Investigations,
Committee on Energy and Commerce,
Room 316
Ford House Office Building
Washington, DC 20515
Attention: David Nelson

Dear Mr. Stupak:

This letter shall serve as Bumble Bee Foods, LLC's final supplemental response to your letter dated May 8, 2008 (the "May 8 Letter") with respect to your investigation of issues related to the safety of the Nation's food supply and specifically issues involving microbiological and/or chemical contamination. Bumble Bee Foods, LLC and its affiliates are collectively referred to herein as the "Company". Our initial response was provided to you on May 29, 2008 (the "May 29 Letter") and our first supplemental response was provided to you on June 5, 2008 (the "June 5 Letter").

Please note that many of the documents included in our response contain proprietary information and thus are confidential; they have been stamped "Confidential"; and we respectfully request that they be treated as confidential.

In addition to facilities owned or operated by Bumble Bee, our responses include Blacks Harbour, New Brunswick, Canada, a sardine-processing facility owned by an affiliate of Bumble Bee to the extent that there is responsive information that relates to products imported into the United States. Our responses also include tuna loin processing facilities located in Fiji and Trinidad to the extent that there is responsive information that relates to products imported into the United States. These loining facilities are not owned by Bumble Bee, but Bumble Bee provides oversight with respect to, and approves, their quality assurance procedures and protocols. Also, Bumble Bee owns a facility in Violet, Louisiana that was destroyed in Hurricane Katrina in 2005. No records are available for this facility. We have not included products that are not for human consumption (e.g., fish meal). Finally, our response to Question #1 only includes recalls in the United States of products regulated by the FDA or USDA.

We received from Mr. David Nelson the following clarifications of the May 8 Letter: (i) the six requests in the letter are limited to products regulated by the Food and Drug

Administration, and do not include products regulated by the U.S. Department of Agriculture; (ii) request 6 does not cover a situation where FDA or a state agency requested documents, the Company asked that the request be put in writing, the request was put in writing, and the Company complied with the request; (iii) although the May 8 Letter requests production of documents by May 22, 2008, it is acceptable if production begins on May 29, 2008 and is completed shortly thereafter; and (iv) the Committee would prefer that documents provided previously be provided again, and that documents be produced in an electronic format. Notwithstanding the foregoing, our responses include products regulated by the USDA.

1. ***A list of all food recalls and food safety alerts issued by your company. For each recall or safety alert, please provide the date of the recall or alert, the product and brand affected, and the reason for the recall or alert. If the food was affected by microbiological or chemical contamination, please identify the contaminant.***

Response provided in the May 29 Letter and the June 5 Letter.

2. ***For each brand or kind of product, please list all instances when internal microbiological testing was found to be positive for the presence of E. coli, Salmonella, Cyclospora cayetanensis, Cryptosporidium, hepatitis A, Clostridium botulinum, or Listeria in excess of the highest limit acceptable to the Food and Drug Administration (FDA) or any State regulatory authority.***

Response provided in the May 29 Letter.

3. ***For each brand or kind of product, please 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.***

RESPONSE: The Company's tuna canning facilities test finished product for histamine. The FDA has set 50 parts per million as the guidance action level for histamine. See attached document, "Canning Facilities Histamine Results—Cans" (CBF 048919) for a list of positive test results in excess of 50 parts per million for Bumble Bee's factory in Santa Fe Springs, CA. Results for Bumble Bee's other tuna canning facility were provided in the June 5 Letter. No records are available for Santa Fe Springs prior to 2003 as they were destroyed in connection with the factory's documentation retention policy.

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

RESPONSE: The FDA's guidance of 50 parts per million for histamine also applies to products included in this response. The tuna canning facilities test the loins received from the loining plants for histamine. See attached document, "Canning Facilities Histamine Results-Loins" (CBF 048920-048921) for a list of positive test results in excess of 50 parts per million for Bumble Bee's factory in Santa Fe Springs, CA for the period 2003-2004. Results for Bumble Bee's other tuna canning facility and results from the Santa Fe Springs factory for the period 2005-2008 were provided in the June 5 Letter. No records are available for Santa Fe Springs prior to 2003 as they were destroyed in connection with the factory's documentation retention policy.

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

RESPONSE: With respect to Questions #3 and #4 above, the FDA was not notified of the test results. There is no requirement to notify the FDA and, in every case, the tuna loin or finished product was rejected because of the elevated histamine levels.

6. ***Please supply list of all instance where FDA or any State regulatory authority 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. This request encompasses denials or requests for entry or any such testing record regardless of whether the plant or its records were to be made available for inspection at a later date.***

Response provided in the May 29 Letter.

Sincerely,



Christopher Lischewski
President & CEO
Bumble Bee Foods, LLC