Jonathan Sprouts, Inc.
QAI Certified Organic Growers
P. O. Box 100, Rochester, MA 02770-0100
Tel: 508-763-2577 * Fax: 508-763-3316
Email: Megadome@meganet.net

Division of Dockets Management
Food and Drug Administration
5630 Fishers Lane rm. 1061
Rockville, MD 20852

5/15/07

To Whom It May Concern

This comment pertains to Docket # 2005N-0272, "Irradiation in the Production, Processsing, and Handling of Food."

I would like to express my opposition to the Proposal to allow the use of the word "pasteurized" in lieu of the word "irradiated" in food labeling.

I would also like to express my feeling that the way in which "materiality" is defined by the FDA fails to take into account what are probably the greatest adverse consequences of the proposal being considered. Specifically, the limitation to "nutritional, organoleptic, or functional" effects of irradiation ignores aspects of the proposal that will in all probability adversely impact many different areas of society.

To subtantiate this claim, I can only hope that those considering this proposal may take another look at the social and economic changes that accompanied the introduction of pasteurized milk, since the word "pasteurized" is clearly being proposed because it is quite universally felt to be a positive word, or at least benign.

It is not the intention behind this comment to argue the pros and cons of pasteurization of dairy products. Let it be assumed that the consequences of milk pasteurization are universally good. Rather, I would like to point out that in most States in the U.S., it is illegal, a crime, to sell non-pasterized milk.

It may seem absurd to propose that the allowance of the word “pasteurized” as a replacement for the word “irradiated” will lead fairly quickly to the criminalization of selling non-irradiated food. However, it is almost certainly a fact that one hundred years ago, reasonable people would have found it preposterous to suppose that in the not-so-distant future, it would be illegal to sell non-pasteurized milk. After all, they had grown up drinking non-pasteurized milk; their parents and ancestors had grown up drinking non-pasteurized milk.

The way in which this radical change in public perception of the safety of non-pasteurized dairy products came about was through an inexorable process involving a combination of illnesses traced to dairy products, and regulatory response to public and economic pressure.

This seems like a natural process, and in terms of public health as it relates to the consumption of dairy products, the universal pasteurization of milk might be seen as unequivocally positive. However, there has been a cost- the disappearance of the ‘local” dairy as a central institution in the infrastructure of community agriculture.

What will most certainly occur, if irradition of fresh food becomes more widely accepted, is that every incident of illness which is traced to non-irradiated food will tend to support the idea that only irradiated food is safe. This will have a powerful ripple effect on retailers who will progressively become liable for their decisions to carry non-irradiated food.

This phenomenon will occur whether there is a major outbreak, such as occurred with bagged spinach recently, or much smaller outbreaks. Also, it is not a question whether these outbreaks will occur; it is inevitable that they will. The vulnerability to litigation will become increasingly unacceptable, as will the pressure on retailers to buy food only from sources that use irradiation.

It needs to be repeated that this picture has nothing to do with the pros and cons of irradition as a health issue, per se. It is being offered as an argument that limiting “materiality” to “nutritional, organoleptic, or functional” effects is a terrible mistake.

The association of non-irradiated food with unacceptable risk is already gaining momentum. The proposal under consideration can only accelerate

this process. For this reason, it is crucial that the wider economic and social impacts of an irradiation-disguised-as-pasteurization proposal be carefully considered. It is very likely that, indirectly, but inevitably, what is being voted on with this proposal is the legality of community-scale agriculture, since any sort of pressure to irradiate food to make it safe will overwhelmingly favor large producers and processors.

Presently, in the US, we are seeing a growing concern about the increasingly centralized production and processing of food, as well as the emergence of a grassroots effort to support and revive local agricultural production. Not only is a highly centralized food infrastructure significantly more vulnerable to terrorist attack; it also may be having an adverse effect on the health and stability of communities, in progresssivly undermining our connection to the earth and to each other.

The pressures resulting from highly publicized outbreaks of illness associated with food will continue and grow. Irradiation of fresh food may seem like an obvious way to deal with this problem, but this would be a great mistake.

It is ironic that the pressure to irradiate fresh foods seems to gain strength, the safer the food supply actually becomes. This is in part a result of the degree to which food production and processing have already become consolidated, since hundreds of millions of portions can come out of a single facility, and a problem with a statistically infinitesimal part of such a huge production is seen as compelling evidence of unacceptable risk. Rather than accelerating this process, the FDA would be doing the taxpayer a greater service in attempting to include social values and community health into its policies, and to support upstream efforts to minimize food safety risks, to the greatest extent possible.

Yours truly,

Robert Sanderson
President
Email: megadome@meganet.net
www.jonathansorganic.com