



## NEWS FROM JPA

June 3, 2004

### **Final Rule on Administrative Detention of Suspect Foods Released**

The US Food and Drug Administration (FDA) has issued a final rule that allows the agency to seize an article of food for which "there is credible evidence or information indicating (it) presents a threat of serious adverse health consequences or death to humans or animals."

As the fourth piece of the 2002 Bioterrorism Act, the rule also includes expedited procedures for enforcement actions against perishable foods, as well as procedures for appealing a detention order.

Foods subject to the regulation include all those defined as food in section 201(f) of the Federal Food, Drug and Cosmetic Act. Meats, poultry and eggs are not covered by the rule.

A Fact Sheet on FDA's new Food Bioterrorism Regulation can be found at the FDA Web site: [www.cfsan.fda.gov/~dms/fsbtac21.html](http://www.cfsan.fda.gov/~dms/fsbtac21.html).

### **JPA Scholarships Will Expand To New Colleges And Universities**

Soon, selected students in more post-secondary agriculture and food production programs across the U.S. will be hearing the names of JPA and D. Glynn Davies as a source of financial assistance.

The D. Glynn Davies-JPA Scholarship Foundation was established in 1993 to honor the late D. Glynn Davies, a pioneer in the juice industry with broad experience in citrus sales and marketing. In accordance with its charter, the Foundation has

annually awarded scholarship funds to four colleges and universities in Florida and California offering programs that prepare graduates for employment in the citrus juice industry. The schools, in turn, have awarded scholarships to qualified students. Since 1992 the Foundation has given out over \$88,000 in scholarship funds to the colleges. Contributions to the Foundation come entirely from JPA member companies.

To encourage studies and subsequent employment in all areas of the juice industry, the Foundation is increasing its reach to schools in other states that also encourage studies in fruit and juice production. The Foundation recently amended its Articles of Incorporation to permit this expansion, and will select additional schools at its September meeting. The Foundation is accepting recommendations of worthy undergraduate and graduate educational institutions from JPA members.

To recommend a college or university for inclusion in the Scholarship program, contact Jim Zellner, Foundation President, at: 941-742-2531.

### **US Draft Dietary Guidelines Crafted**

After months of meetings, the joint FDA-USDA Dietary Guidelines Advisory Committee agreed last week on a set of eight draft guidelines for American consumers.

Here are the 2005 Draft Dietary Guidelines:

1. Choose a variety of foods within and among the basic food groups, while not exceeding your daily calorie limit.
2. Be physically active every day.
3. Monitor your body weight to achieve health.
4. Increase daily intake of fruits and vegetables, whole grain and nonfat or low-fat milk and milk products.
5. Decrease intake of saturated fat, *trans* fat and cholesterol while increasing foods rich in omega-3 fatty acids (fish)
6. Choose and prepare foods with less salt.
7. If you drink alcohol, do so in moderation.
8. Keep food safe to eat.

Some of the statements are the same as those in the last version, which was issued in 2000. New additions are the mention of decreasing trans fats, increasing intake of foods rich in omega-2 fatty acids and lowfat or nonfat milk products, and monitoring body weight. Sugar, which was mentioned in the 2000 Guidelines, was not included in the 2005 version.

## **WELCOME NEW JPA REGULAR MEMBERS!**

### **S.A. San Miguel** (April 2004)

Av. Alicia Moreau de Justo 140-3<sup>rd</sup> Floor  
(C1107AAD) Buenos Aires, Argentina

*Representative:* Santiago Martinez

*Phone:* 54-11-4315-6234

*Email:* [santiagom@sa-sanmiguel.com](mailto:santiagom@sa-sanmiguel.com)

*Products/Services:* Lemon peel oil, concentrated lemon juice, lemon water phase essence, lemon oil phase essence, dehydrated lemon peel.

### **Patagonia Chile S.A.** (May 2004)

Panamericana Sur Km 205  
Molina, Chile

*Representative:* Carlos Correa

*Phone:* 56-2-40-1020

*Email:* [crcorrem@iansa.cl](mailto:crcorrem@iansa.cl)

*Products/Services:* Fruit juice concentrate (mainly apple) processor, packer and seller.

### **Sun Rapt Foods, Inc.** (May 2004)

662 N. Spruce Rd.

Exeter, CA 93221

*Representative:* Kenneth J. Kelly

*Phone:* 559-592-4150

*Email:* [sunraptfoods@lobuebros.com](mailto:sunraptfoods@lobuebros.com)

*Products/Services:* Processor of concentrated and "not from concentrate" citrus juices.

### **Zhonglu Fruit Juice Co.** (May 2004)

6055 E. Washington Blvd., Suite 412

Commerce, CA 90040

*Representative:* Michael Choi

*Phone:* 323-869-9999

*Email:* [ZhongluAme@aol.com](mailto:ZhongluAme@aol.com)

*Products/Services:* Apple juice concentrate (clear/cloudy), pear juice concentrate.

## **Industry News**

### **SupaJus**

SupaJus, the "Think Drink," will be Europe's first orange juice drink to contain Omega-3 DHA.

The nutrient omega-3 DHA (Docosahexaenoic Acid) is an essential building block for the structure and functioning of humans throughout their life span. It is important for the brain, nervous and visual functions. According to research, it has a positive effect in alleviating a range of behavioral and learning difficulties in children.

The Natural Fruit and Beverage Company in Coatbridge, Scotland, has signed an exclusive agreement with NP Biotech to produce and distribute SupaJus.

### **First Health Claim in France Goes to Cranberry Juice, Powder**

AFSSA, the French food authority, has approved a health claim for cranberry juice and powder for its effect on urinary tract health. JPA member Ocean Spray successfully petitioned the food authority for the claim.

## (Industry News, cont'd.)

The Agence Francaise de securite sanitaire des aliments has allowed the claim that the North American cranberry VM (vaccinium macrocarpon) can "help reduce the adhesion of certain E.coli bacteria to the urinary tract walls." Food and drink manufacturers can now use the claim to highlight the health benefits of cranberry juice products.

The *New England Journal of Medicine* first identified a component in cranberries that prevented the adhesion of certain E. Coli bacteria in the gut in the 1990s. Several university research studies have further substantiated that regular consumption of cranberry juice cocktail may offer protection against antibiotic resistant bacteria that cause urinary tract infections.

**JPA's  
Economic Outlook  
Conference & Mid-Year  
Meeting**  
Grand Hyatt Tampa Bay, FL  
September 27-29, 2004  
Registration Opens in July on the JPA  
Web site:  
[www.juiceproducts.org](http://www.juiceproducts.org)

## New on the JPA Web Site—Members Only:

**Action Alert:** Member Comments Solicited on Current Good Manufacturing Practices (CGMP)

**Recent Meetings:** Presentations from the JPA 2004 Annual Meeting, May 16-19, 2004

**Breaking News:** USDA Fruit and Tree Nut Outlook, May 2004

**Q&A:** Updated Q&A Regarding the Interim Final Rule on Prior Notice of Imported Food from FDA

**Bylaws:** Newly Amended JPA Bylaws.

To access the Members Only pages, go to <http://www.juiceproducts.org>, click on "Members Only," enter username: *JPA*, and password: *refresh*.

## US Signs Central American Trade Agreement

The U.S. and five Central American nations signed a trade agreement on May 28. The agreement includes Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua, and basically extends the existing North American Free Trade Agreement (NAFTA) nearly to South America.

The agreement is subject to Congressional approval, which is unlikely until after the Nov. 2 election.

According to Paul Rosenthal, JPA Counsel on International Trade, once Congress approves the agreement and it goes into force, duties will be eliminated on the following juice products:

- Concentrated orange juice (fortified and not fortified)
- Non-concentrated orange juice (fortified and not fortified)
- Concentrated grapefruit juice
- Concentrated and non-concentrated lemon juice
- Concentrated and non-concentrated grape juice.

For additional information on completed and pending trade agreements affecting juice products, go to: [http://www.juiceproducts.org/membersonly/pdf/2004annualmeeting\\_rosenthal.pdf](http://www.juiceproducts.org/membersonly/pdf/2004annualmeeting_rosenthal.pdf).

## Florida & Brazil Come to Terms on Excise Tax

Brazil and Florida have come to agreement that Florida will reduce its tax on imported juice, thus canceling a World Trade Organization (WTO) panel formed two years ago to handle the tax dispute.

Florida's Governor Jeb Bush recently amended a statute to reduce Florida's equalizing excise tax to about \$13 per ton from \$40. The tariff was originally put in place to protect the U.S. juice industry from competition from Brazil. The resolution of the orange juice dispute comes one month after a preliminary ruling by the WTO that accepted most of Brazil's arguments against U.S. cotton subsidies.

However, still standing is the U.S. \$418 per ton tariff on imported orange juice in the Free Trade Area of the Americas (FTAA) negotiations. The Florida juice

industry is watching the WTO and FTAA, to be sure tariffs are not cut during the negotiations.

The tax cut alone won't help Brazil increase orange juice sales to the U.S., where demand has fallen by 5% in the last three years due to the low-carb diet craze.

Industry representatives from both countries have independently stated a desire to work together on increasing global juice consumption, in the face of declining US consumption. Ademerval Garcia, the head of the Brazilian Association of Citric Exporters, said at a recent press conference, "Now both countries will be able to work together on a strategy to increase the global juice consumption." Similarly, Casey Pace, of Florida's Citrus Mutual, said, "If the Chinese, Indians and Russians take to drinking OJ, there's no way Florida and Brazil can grow enough oranges to take care of them."

### **FDA Announces Review of GMPs for Food**

In May, JPA notified members that the Food and Drug Administration (FDA) planned to revise the good manufacturing practices (GMPs) used for foods, which were last revised in 1986. The FDA indicated in the May 21, 2004 *Federal Register* notice that "...the food industry has undergone considerable change, and the agency believes that it is now time to revisit the regulations and determine appropriate revisions to better ensure a safe and sanitary food supply."

The Agency recently announced it would hold three public meetings to obtain the views of the industry and the public regarding current good manufacturing practices (CGMPs) and to provide the public the opportunity to comment on what revisions to the CGMPs the Agency should consider. The *Federal Register* notice can be accessed via: <http://www.fda.gov/OHRMS/DOCKETS/98fr/04-11611.pdf>.

The meetings will be held in College Park, Maryland (June 11, 2004), Monterey, California (July 2, 2004) and Chicago, Illinois (July 21, 2004). The Kellen Company will have a staff member attending the June 11 meeting to monitor the proceedings, and we will report any significant information to the members.

### **State of Texas Reduces Fruit Juice in WIC Program**

The State of Texas has announced that it will reduce the amount of juice for children that it will pay for under its Women Infants & Children (WIC) feeding program, effective June 1. The Texas WIC program provides vouchers for low-income mothers with infants and children to purchase program-approved foods at grocery stores.

This action will reduce the amount of fruit juice paid for by the program from 6 46-ounce cans per month to 4 cans per month. Juices approved by the Texas feeding program include certain brands of citrus, apple, cranberry and grape, all unsweetened and 100% juice.

### **BUSINESS OPPORTUNITIES**

**Sources Sought:** Seeking partner to import fruit juices from the US to Mauritania, West Africa. If interested, contact: Sid. Ramdane, at email: [sid\\_ramdane@3com.com](mailto:sid_ramdane@3com.com), or mobile phone: +33 (0)6.07.87.50.25