31-6 FOOD CHEMICAL NEWS
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FDA SEIZES MICHIGAN COHO SALMON WITH PCB RESIDUES ABOVE TOLERANCE

The Food and Drug Administration recently rejected a request from a Washington law firm to permit a food company to market or, in the alternative, export canned salmon containing polychlorinated biphenyls above the agency's temporary tolerance of 5 p.p.m. for food products.

In a letter to Paul M. Hyman, of the law firm of Kirkland, Ellis & Rowe, Taylor M. Quinn, Director of the FDA's Division of Regulatory Guidance in the Bureau of Foods, reported the agency's plans to go ahead and seize the products involved.

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Seizures were made last week of two lots held by the Point Adams Packing Co., Hammond, Ore., and another in possession of Sea Land Services, South San Francisco, Calif., which was transporting the canned salmon to San Juan, Puerto Rico, after packing at Hammond.

The seizures involved products owned by Harrison Pierce & Co., Long Beach, Calif., which purchased Michigan salmon from Tempotech Industries, Inc., Holland, Mich.

Point Adams acted as a custom canner of the products for Harrison Pierce & Co.

"As you know," Quinn wrote, "we are considering a recommendation on the part of our Seattle field office to initiate seizure against those canned coho salmon, which are the subject of your letter."

He said analyses of the products showed a range of PCBs from 7.6 to 10.9 p.p.m., which he characterized "as well above the established temporary tolerance."

"As you indicated," he continued, "your client was well aware of this temporary tolerance and the general problem of PCB contamination in fish from the Great Lakes." He commented:

> "Hence, in our opinion, it would have been prudent on the part of your client to clearly establish the PCB content of these specific fish prior to accepting them for use as human food.
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> "While we do not know the precise details of the arrangements of your client with Tempotech Industries and the Michigan Department of Agriculture, we do know that the FDA did not 'approve' or otherwise sanction the shipment of these salmon from Michigan to Point Adams Packing Company in Oregon for use as human food."

Under an agreement with the Michigan Department of Agriculture, Tempotech apparently was supplying female coho salmon, weighing less than eight pounds each, since these were expected to contain PCBs at levels less than the 5 p.p.m. tolerance.

Quinn said FDA strongly believes that human exposure to PCBs in any amount greater than the amount which can be avoided "is clearly unwarranted and illegal," saying:

> "Thus, we believe we would be remiss in our obligations and acting contrary to the public interest to permit the marketing of food bearing PCBs above temporary tolerances."

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