



InterContinental Coffee Trading Inc.

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ICT Importer (FSVP) Disclosure Statement to Roaster/Customer

We are providing this letter to inform you (1) of the requirements of controlling the hazards of imported coffee beans under the Food Safety Modernization Act (FSMA), as required under 21 CFR § 1.507 of the FSVP Regulations,(2) that this product **has not been processed to control the microbial pathogens, such as Salmonella, or the physical and chemical hazards, such as debris or metal fragments and toxins, such as Ochratoxin, that might be present**, and (3)to inform you that it is incumbent upon you, as the roaster, to establish your own controls to significantly minimize or prevent the identified hazards (as deemed necessary in your own hazard analysis).

The FDA is now enforcing the FDA Foreign Supplier Verification Program (FSVP) regulations under FSMA, which was signed into law in January 2011. FSVP requires food importers to establish a program that will ensure that their foreign suppliers are producing food in a manner that provides the same level of public health protection as the preventive controls or produce safety regulations and to ensure that the supplier's food is neither adulterated nor misbranded with respect to allergen labeling.

In accordance with 21 CFR § 1.504 and 1.507 of the FSVP regulations, ICT has determined and documented that Coffee Beans meet the Raw Agricultural Commodity (RAC) definition under the Federal Food Drug and Cosmetic Act (FDCA) and that it cannot be consumed without the hazards being controlled. As the FSVP Importer, we have conducted a hazard analysis of green coffee beans. Please note that there is not a requirement to (1) conduct an evaluation of the food and foreign supplier (section 1.505) or (2) conduct foreign supplier verification activities (section 1.506). Several hazards are identified that need to be controlled prior to consumption. These hazards include biological, chemical, and physical hazards.

Since ICT will not be controlling the hazards and as a customer that is subject to the requirements of the current good manufacturing practice, hazard analysis, and risk-based preventive controls for human foods provisions, we are required to inform you that this product **has not been processed to control the microbial pathogens, such as Salmonella, or the physical and chemical hazards, such as debris or metal fragments and toxins, such as Ochratoxin, that might be present**. It is also required, under the regulations, that this statement must be disclosed in documents accompanying the food in accordance with the practice of the trade. Therefore, we have included this language on the Shipping and Delivery Documents, as well as being printed on the coffee bags themselves, as recommended by FDA.

Section 1.507 of the regulation also requires that we obtain, on an annual basis, written assurance, that you have established and are following procedures that will significantly minimize or prevent the hazard that we (as the FSVP Importer) have identified and that the foods are processed or prepared in accordance with applicable food safety requirements. However, FDA has delayed the compliance date for this assurance requirement by 2 years to address feasibility concerns with these requirements (see 81 FR 57784 at 57787)

I want to thank you for your cooperation in complying with these new FDA regulations. If you should have any questions related to the new FSVP requirements, please feel free to contact us at (619) 338-8335 or via email at steve@ictcoffee.com.