



March 18, 2016

Dr. Ashley Peterson
Senior Vice President
National Chicken Council
1152 Fifteenth Street - Suite 430
Washington, DC 2005-2622

Re: Docket No. FDA-2015-P-3485

Dear Dr. Peterson:

This letter is in response to your citizen petition, received September 29, 2015, filed under docket no. FDA-2015-P-3485, in which you request that the Food and Drug Administration (FDA) amend 21 CFR 118.4 (e) to exempt the refrigeration requirement for “eggs that are intended to be processed in accordance with Section 1036 of Title 21 of the United States Code.” Alternatively, you request that we “allow broiler hatcheries to begin refrigeration 120 hours after the time of lay instead of 36 hours” for 2 years, consider extending this exemption after the 2 years and provide opportunity for industry to present safety information on broiler eggs without the 36-hour refrigeration requirement.

The purpose of this response is to advise you, in accordance with 21 CFR 10.30(e), that we have not been able to reach a decision on your petition within the first 180 days of the filing of the petition because of the limited availability of resources and other agency priorities. We hope to be able to complete the review of your petition and respond to your request in the near future.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Nega Beru".

Nega Beru, Ph.D.
Director, Office of Food Safety
Office of Food Additive Safety
Center for Food Safety
and Applied Nutrition

Addressees

Identical letter to:

Leon H. Bruner, DVM, Ph.D.

Executive Vice President, Scientific and Regulatory Affairs
and Chief Scientific Officer

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Jeannie Milewski

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