

## FMSA Acknowledgement

March 1, 2018

Better Batter Customer,

Better Batter Gluten Free Flour, LLC (Better Batter) takes food safety and compliance with laws and regulations relating to food safety very seriously. Accordingly, this letter is to inform you of important food safety information regarding our products pursuant to the Food Safety Modernization Act (FSMA), and Final Rule 21 CFR 117 - Current Good Manufacturing Practice and Hazard Analysis and Risk-Based Preventive Controls for Human Food, we are providing some important food safety information about our products.

The Food Safety Modernization Act (FSMA) requires processors/manufacturers of products, such as flour, to identify hazards that can be found in the processing or manufacturing of ingredients where the process does not control for such hazard, and notify Customers that the product is produced without this preventative control. [CFR Title 21, Chapter 1, Subchapter B, Part 117.136].

Our manufacturing facilities have given us updated notification. Accordingly, the following notification is being forwarded to you and is provided pursuant to 21 CFR §117.136.

### **Affected Products**

The following products marketed by Better Batter are sold to Customers without controlling for identified hazards:

All Better Batter products including but not limited to Better Batter Gluten Free Flour, Pancake Mix, Seasoned Flour, Brownie Mix, Chocolate Cake Mix, Yellow Cake Mix, containing, but not limited to the following ingredients: Rice. This also includes any other mixes or blends made with these grains or flours.

### **Identified Hazards Requiring Preventive Controls**

Better Batter sells a wide range of ingredients that are all derived from raw agricultural products such as grains or seeds. There are several possible pathogens such as Salmonella, and pathogenic E. coli; that can be sourced from the environment where grains or seeds are grown, harvested and stored. These pathogens may be found in soil, water, vegetation and from wildlife. As a result, there can be an unavoidable risk that the raw agricultural products could contain these environmental pathogens. In our standard supply chain, Better Batter has been informed that our processing plants do not process our food ingredients made from raw agricultural products to control pathogens.

These ingredients are intended to be further processed to significantly minimize or prevent the risk of pathogens. This is often accomplished with a lethality step such as baking, cooking, frying or boiling.

If you have questions regarding the FSMA rules, we refer you to 21 CFR 117.136. and also reference the most recent updates that FDA made last August 24, 2016, and advise you to consult your own regulatory and legal group(s) for more information. Additional information can also be found as noted below:

The Food and Drug Administration Food Safety Modernization Act; Extension and Clarification of Compliance Dates for Certain Provisions of Four Implementing Rules see- Federal Register 80 FR 57784 August 24, 2016)

Better Batter as per its processing plants' recommendations, recommend heat treatment if any of our products are to be used in a Ready to Eat Product, or one that there is not a lethality step such as baking, cooking, frying or boiling.

Accordingly, for the product(s) listed above, our producers have conducted a hazard analysis on these products and have notified Better Batter identified the following hazards for which it cannot implement a preventive control to minimize or prevent the hazard from occurring:

- Foodborne microbial pathogens that have been noted by our hazard analysis for flour(s) as an ingredient include: Salmonella or pathogenic E. coli.

By signing below, Customer acknowledges that it received notice from Better Batter that the Customer is purchasing an ingredient which has not undergone processes to apply a preventive control for the hazards identified by Better Batter's processors in this letter.

By Purchasing products, Customer understands that it is responsible for using the products containing the ingredient(s) in accordance with applicable food safety requirements or, if applicable, to sell only to someone that agrees to do so.

If you have any questions relating to the content of this letter, please contact us.

Thank you,

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ACKNOWLEDGMENT STATEMENT