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AGA **FOODSERVICE GROUP**

Ms Susan Luong
Office of Environmental Health Hazard Assessment
Proposition 65 Implementation Programme
1001 I Street, 19th Floor
Sacramento, California 95814

23rd June 2005

Dear Ms Luong

Re: Proposition 65 Potential Exemption/Chemicals Formed from Natural Constituents in Food during Cooking or Heating/Acrylamide

Call for Public Comment

I write to put the views of Aga Foodservice Group plc, a £400m company listed on the London Stock Exchange, with subsidiary companies around the globe and in particular in North America.

This response does not provide detailed comment on each Rule amendment proposed, but puts forward considerations that should be taken into account as part of the rule making process.

Aga Foodservice owns Falcon Foodservice Equipment, a global prime cooking equipment manufacturer, which manufactures, amongst other items, deep fat fryers. As part of research and development of a new generation of deep fat fryer (The Infinity Fryer) we have made a number of discoveries and set in place further research projects to verify our findings. In particular we have worked with Reading Scientific Research Services to investigate acrylamide formation and process contamination in deep fat frying and in French fries in particular.

We are the only company to have carried out detailed acrylamide analysis of the sediment in fryers as well as the fries themselves. The sediment, which is food debris, clearly continues to cook after the fries are removed and is often left in fryers for days and even weeks, creating the very real prospect of process contamination.

We have found that acrylamide formation in traditional sediment zone fat fryers occurs at a higher rate than in our new generation flat bottomed fryer. Fries cooked in old oil, unfiltered oil, or oil at too high a temperature (over 350°F) attract acrylamides at a high rate. Recent independent testing carried out on behalf of Falcon has proven the presence of acrylamides in both food and the toxic 'sludge' that collects at the bottom of sediment zone fryers.

7,500 4.5oz portions of fries were cooked over a period of five days. These results indicated that the levels of acrylamide present in the sludge are dangerously high.

Regular filtering is Essential

We conclude that regular (daily or more frequent) filtering of oil is essential to good practice in foodservice operations and we are lobbying UK representative bodies to this effect. Independent research carried out amongst foodservice operatives in the UK revealed no consistent practice in the maintenance and filtering of oil. Some operations, including schools, reported changing their oil only once every three months. The research indicates that this is largely because filtering and cleaning old fashioned sediments zone fryers is awkward, dangerous and loathed. These findings also re-iterate our concern that filtering must be mandatory in foodservice and we would ask that the OEHHA takes this into consideration. Legislating to ensure good practice when it comes to oil quality will safeguard consumers eating French fries and deep fried products and be more effective than warning signs.

New Infinity Fryer

Our new Infinity Fryer has recently been launched into America and featured at the NRA Show in Chicago in May. This revolutionary design makes filtering easy and simple, at the touch of a button, and ensures oil is always clean and of the best quality.

We would be happy to share our detailed findings should you wish to consider them

Yours sincerely

Stephen Rennie
Chief Operating Officer