



The Association of Food, Beverage  
and Consumer Products Companies

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October 25, 2006

Division of Dockets Management  
Food and Drug Administration  
Department of Health and Human Services  
5630 Fishers Lane  
Room 1061  
Rockville, Maryland 20852

I am submitting this petition to request the Commissioner of Food and Drugs to issue regulations of general applicability to modernize the food standards. This request is submitted to the Food and Drug Administration (FDA) under section 403 of the Federal Food, Drug, and Cosmetic Act (FDCA), and 21 C.F.R. § 10.30.

On August 18, 2005, the Grocery Manufacturers Association (GMA) submitted comments to Docket No. 1995N-0294 in general support of the general principles for food standards proposed by the Food Safety and Inspection Service (FSIS), USDA, and the Food and Drug Administration (FDA), HHS [70 FR 29214, May 20, 2005].

In those comments we indicated our intention to provide a more detailed petition requesting FDA and FSIS to apply additional horizontal flexibility across all food standards. The attached document is that promised petition, which is now jointly submitted with a number of other associations representing the food industry.

Based on a review of the current standards framework, the petitioners have identified six categories of variations that should be allowed to provide needed flexibility. These categories would permit, within carefully defined boundaries, variations from food standards to accomplish the following beneficial objectives:

- Addition of ingredients intended solely for technical, nondistinctive effects, such as emulsifiers, stabilizers, or antimycotic agents
- Use of safe and suitable flavors and flavor enhancers in foods generally, and use of safe and suitable ingredients such as salt substitutes, sweeteners, and vegetable fats and oils where appropriate
- Use of advanced or more efficient technologies to produce ingredients of all types, such as enzyme technologies that enhance the properties of egg yolk used in mayonnaise
- Use of alternate manufacturing processes, also known as "alternate make" procedures, for those standards that specify particular processes

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- Changes to a product's basic shape in response to consumer demands, such as "chunky" stewed tomatoes
- Improvements in nutritional properties that do not rise to the level of a defined nutrient content claim (e.g., reducing calories by 10% rather than requiring a minimum 25%), or use of nutritious ingredients like whole grains

All of the other co-signers of this petition - American Frozen Food Institute, American Meat Institute, Chocolate Manufacturers Association, Food Products Association, International Dairy Foods Association, Juice Products Association, National Cattlemen's Beef Association, National Fisheries Institute, National Meat Canners Association, North American Millers' Association, and Snack Food Association – join Grocery Manufacturers Association in thanking the FDA for their consideration of this petition.

We have enclosed four copies of the petition and Appendices A, B and C, and single copies of the remaining Appendices D – H. We have also enclosed a CD of electronic copies of the petition and all appendices. We have provided the FSIS Docket Clerk an identical set of documents.

We look forward to discussing the petition, and answering any questions or providing clarification as needed.

Sincerely,

Mark F. Nelson, Ph.D.  
Vice President, Scientific and Regulatory Policy  
Grocery Manufacturers Association