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Display Date

11-29-07

Publication Date

11-30-07

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 2007N-0277]

**Food Labeling: Use of Symbols to Communicate Nutrition Information,
Consideration of Consumer Studies and Nutritional Criteria; Reopening of
Comment Period**

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of public hearing; reopening of comment period.

SUMMARY: The Food and Drug Administration (FDA) is reopening to January 15, 2008, the comment period for the notice of public hearing that published in the **Federal Register** of July 20, 2007. In the notice of public hearing, FDA requested comments on the use of symbols to communicate nutrition information on food labels. The agency is taking this action in response to a request for an extension to allow interested persons additional time to submit comments.

DATES: Submit written or electronic comments by January 15, 2008.

ADDRESSES: You may submit comments, identified by Docket No. 2007N-0277, by any of the following methods:

Electronic Submissions

Submit electronic comments in the following ways:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Agency Web site: <http://www.fda.gov/dockets/ecomments>. Follow the instructions for submitting comments on the agency Web site.

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Written Submissions

Submit written submissions in the following ways:

- FAX: 301-827-6870.
- Mail/Hand delivery/Courier [For paper, disk, or CD-ROM submissions]:

Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

To ensure more timely processing of comments, FDA is no longer accepting comments submitted to the agency by e-mail. FDA encourages you to continue to submit electronic comments by using the Federal eRulemaking Portal or the agency Web site, as described previously in the **ADDRESSES** portion of this document under *Electronic Submissions*.

Instructions: All submissions received must include the agency name and docket number for this rulemaking. All comments received may be posted without change to <http://www.fda.gov/ohrms/dockets/default.htm>, including any personal information provided. For additional information on submitting comments, see the "Request for Comments" heading of the **SUPPLEMENTARY INFORMATION** section of this document.

Docket: For access to the docket to read background documents or comments received, go to <http://www.fda.gov/ohrms/dockets/default.htm> and insert the docket number, found in brackets in the heading of this document, into the "Search" box and follow the prompts and/or go to the Division of Dockets Management, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Juanita Yates, Center for Food Safety and Applied Nutrition (HFS-555), Food and Drug Administration, 5100 Paint Branch Pkwy., College Park, MD 20740, 301-436-1731.

SUPPLEMENTARY INFORMATION:

I. Background

In the **Federal Register** of July 20, 2007 (72 FR 39815), FDA published a notice of public hearing with a 115-day comment period to request comments on the use of symbols to communicate nutrition information on food labels, specifically, the issues and questions presented in section III of the notice (see 72 FR 39815 at 39816). Comments will inform FDA's consideration of the use of symbols to communicate nutrition information on food labels.

The agency has received a request for a 60-day extension of the comment period for the notice of public hearing. The request conveyed concern that the comment period, which closed 60 days subsequent to the public hearing held September 10 and 11, 2007, did not allow sufficient time to develop a meaningful or thoughtful response to the request for comments on the issues and questions presented in section III of the notice.

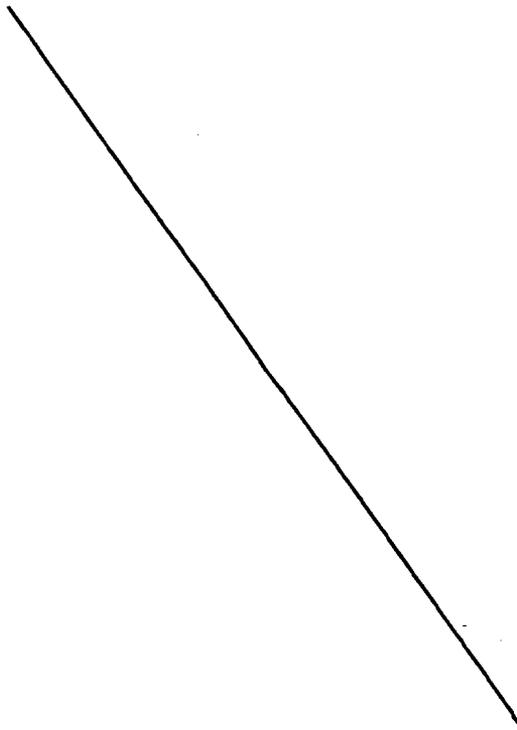
FDA has considered the request and is reopening the comment period for the notice of public hearing, which closed November 12, 2007, for 60 days, until January 15, 2008. The agency believes that reopening the comment period for 60 days allows adequate time for interested persons to submit comments on the issues and questions presented in section III of the notice without significantly delaying the agency's consideration of the use of symbols to communicate nutrition information on food labels.

II. Request for Comments

Interested persons may submit to the Division of Dockets Management (see **ADDRESSES**) written or electronic comments regarding this document. Submit a single copy of electronic comments or two paper copies of any mailed comments, except that individuals may submit one paper copy. Comments are to be identified with the docket number found in brackets in the heading of

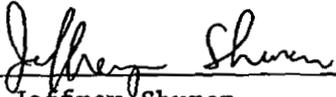
this document. Received comments may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday.

Please note that in January 2008, the FDA Web site is expected to transition to the Federal Dockets Management System (FDMS). FDMS is a Government-wide, electronic docket management system. After the transition date, electronic submissions will be accepted by FDA through the FDMS only.



When the exact date of the transition to FDMS is known, FDA will publish a **Federal Register** notice announcing that date.

Dated: 11-26-07
November 26, 2007.

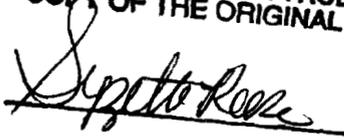


Jeffrey Shuren,
Assistant Commissioner for Policy.

[FR Doc. 07-????? Filed ??-??-07; 8:45 am]

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Deputy Commissioner