

Fleminger, Inc.

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October 14, 2004

Laura M. Tarantino, Ph.D.
Acting Director
Division of Nutrition Programs and Labeling
Center for Food Safety and Applied Nutrition
Food and Drug Administration (HFS-830)
5100 Paint Branch Parkway
College Park, MD 20740-3835

Via Fax 301 436-2636 and Federal Express overnight delivery

Re: Docket No. 2004Q-0083: Daily consumption of 40 ounces of typical green tea containing 710µg/mL natural (-)-epigallocatechin gallate (EGCG) may reduce the risk of certain forms of cancer....

Dear Dr. Tarantino:

In your letter dated March 18, 2004 which was addressed to the petitioner, you indicated that the FDA will notify the petitioner of its final decision regarding the above-referenced qualified health claim by October 29, 2004.

We understand that FDA decision regarding a health claim will immediately become public record when it is announced. Since granting qualified health claims for food labeling is an important educational service provided by the FDA to help the consumers as they work to improve their health by identifying the foods that may reduce the risk of certain diseases, the petitioner is prepared to coordinate with the FDA in augmenting the effects of its service to the public. One of the measures in achieving this goal is to make our office staff members familiarized with the language and meaning of the health claim granted by the FDA so that they, as functionaries in the private sector, can correctly relay the intention of the FDA to the consumers. This letter is to request that the FDA kindly notify the petitioner of the final language on the above-referenced claim at least a few days before October 29, 2004 so that a small company like ours can better mobilize its limited resources to take part in the overall public educational program of the FDA.

Thank you for your kind consideration.

Sincerely,


Sin Hang Lee, MD
President

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