



MAR 11 2004

Food and Drug Administration  
College Park, MD 20740

Sheryl A. Marcouiller  
Senior Food Law Counsel  
Kraft Foods North America, Inc.  
Three Lakes Drive  
Northfield, Illinois 60093-2753

Re: Nutrient Content Claim Petition – Total Carbohydrate Content of Foods  
(Docket No. 2004P-0105)

Dear Ms. Marcouiller:

This letter is in reference to the nutrient content claim petition that the Food and Drug Administration (FDA) received on December 2, 2003, pursuant to Section 403(r)(4) of the Federal Food Drug and Cosmetic Act (FFD&C Act) (21 U.S.C. 343(r)(4)) with respect to certain claims about the carbohydrate content of foods.

We have completed our initial review of this petition. Today we are filing it in accordance with Section 403(r)(4)(A)(i) of the FFD&C Act (21 U.S.C. 343(r)(4)(A)(i)) and 21 CFR 101.69(m)(3). FDA will notify you by letter, within 90 days of filing your petition, either that a proposed regulation to provide for the requested use of the health claims will be published in the Federal Register, or that your petition is being denied. If FDA does not take one of the aforementioned actions within 90 days of the date of filing, the petition is deemed to be denied unless an extension is mutually agreed upon by FDA and the petitioner. We have calculated this date to be June 9, 2004.

Please feel free to contact Ritu Nalubola at 301-436-2371 if you have questions concerning this petition.

Sincerely yours,

Laura M. Tarantino, Ph.D.  
Acting Director  
Office of Nutritional Products, Labeling  
and Dietary Supplements  
Center for Food Safety  
and Applied Nutrition

2004P-0105

LET 1