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Food and Drug Administration
College Park, MD 20740

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Stuart M. Pape
Patton Bogas LLP
2550 M Street, NW
Washington, DC 20037

Re: Docket No. 2004P-0223/CP1

Dear Mr. Pape:

This is in response to the citizen petition (docket no. 2004P-0223) that you submitted on behalf of General Mills, Inc. that was filed on May 11, 2004, requesting that the Food and Drug Administration (FDA) to establish the descriptive claims "excellent source," "good source," and "made with" for whole grain content.

In accordance with 21 CFR 10.30(e)(2), this letter is to advise you that we have not been able to reach a decision on the petition within the first 180 days of its receipt because of other agency priorities and limited availability of resources. However, we point out that the development of a strategy to provide for claims on whole grain content of foods that is based on this petition will appear as a "B" list item in CFSAN's 2005 Program Priorities.

Sincerely,

Barbara Schneeman, Ph.D.
Director
Office of Nutritional Products, Labeling
and Dietary Supplements
Center for Food Safety
and Applied Nutrition

2004P-0223

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