



MAR 22 2002

Vernon Matheson  
Operations Manager  
Iceberg Industries Corporation  
16 Forest Road, Suite 200  
Post Office Box 8251, St. John's  
Newfoundland, Canada, A1B 3N4

Re: Docket No. 00P-1439

Dear Mr. Matheson:

This letter is in response to your citizen petition, dated September 28, 2001, and filed October 10, 2001, requesting that the Food and Drug Administration (FDA) amend 21 CFR 165.110 to include a standard of identity for iceberg water.

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 your petition within the first 180 days of its receipt because of other Agency priorities and the limited availability of resources. Additionally, FDA will not likely take any action on your petition until ongoing related standards modernization activities that would impact your petition progress further.

FDA recognizes the importance of reinventing food standards in a manner that both protects the interest of consumers and provides manufacturers reasonable flexibility in using innovative techniques to produce foods governed by a standard of identity. Consequently, the Agency is currently working with the Food Safety and Inspection Service of the United States Department of Agriculture to propose guiding principles for reinventing standards of identity. These principles will form the bases upon which existing standards may be amended or repealed, or new ones established. The development of a proposed rule on these principles is a B-list activity in FY2002 CFSAN/FDA Program Priorities. Given our current efforts to modernize food standards as a whole, we think it would be prudent to wait until we have the guiding principles in place before taking action on any of the petitions to revise food standards that are currently before the agency. Once the guiding principles are in place,

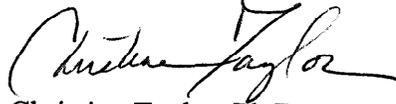
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progress can be made on these petitions. As we continue to develop our policy on the modernization of food standards, we will consider how to most appropriately address your petition within FDA's overall strategy to reinvent food standards.

Should you have additional questions, do not hesitate to contact us.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Christine Taylor". The signature is fluid and cursive, with a large initial "C" and a long, sweeping tail.

Christine Taylor, Ph.D.

Director

Office of Nutritional Products, Labeling  
and Dietary Supplements

Center for Food Safety  
and Applied Nutrition



**ICEBERG  
INDUSTRIES  
CORPORATION**

September 28, 2001

Felicia B. Satchell  
Chief, Food Standard Branch  
Office of Food Labeling (HFS-158)  
Center For Food Nutrition  
Food and Drug Administration  
200 C Street, SW  
Washington, DC 20204

Re: Citizen's Petition for Iceberg Water

Dear Ms. Satchell,

Please find enclosed a copy of our Citizen's Petition for the amendment to CFR 165.110 to include a standard of identity for Iceberg Water as submitted to the Dockets Management Branch.

Should you have any questions, I can be reached at 709-438-2435.

Sincerely,

Vernon Matheson

**BOREALIS**  
**ICEBERG**  
**VODKA**

**BOREALIS**  
*Genuine*  
**Iceberg**  
**WATER**

**DISCOVERY**  
**SPRINGS**  
Natural Spring Water

16 FOREST ROAD, SUITE 200, P.O. BOX 8251, ST. JOHN'S, NEWFOUNDLAND, CANADA, A1B 3N4  
TELEPHONE: (709) 739-5731, FACSIMILE: (709) 739-6494  
WEBSITE [www.icebergindustries.com](http://www.icebergindustries.com)