



Food and Drug Administration  
Rockville MD 20857

OCT 17 2002 1750

The Honorable Bernard Sanders  
House of Representatives  
Washington, D.C. 20515-4501

Dear Mr. Sanders:

Thank you for your letter of August 16, 2002, regarding the adequacy of information on food labels about refined sugars.

The Food and Drug Administration (FDA or the Agency) addressed comments about sugars in its January 6, 1993, final rule entitled, "Food Labeling: Mandatory Status of Nutrition Labeling and Nutrient Content Revision, Format for Nutrition Label" (Volume 58 Federal Register [FR] 2079). Comments had recommended that "added sugars" be declared in the Nutrition Facts panel rather than "total sugars" and that both added and naturally occurring sugars be declared (58 FR 2079 at 2098). FDA listed three reasons for deciding against implementing these recommendations: 1) the body does not make any physiological distinction between added and naturally occurring sugars in foods, 2) for most foods there is no analytical method to differentiate between added and naturally occurring sugars; and 3) the declaration of only added sugars could significantly underrepresent the sugars content of many foods that have a large quantity of naturally occurring sugars. Instead, the final rule required that total sugars be a mandatory component of nutrition labeling (Title 21, Code of Federal Regulations section 101.9(c)(6)(iii)) (58 FR 2079 at 2176).

FDA has received a citizen's petition (Docket No. 99P-2630) from the Center for Science in the Public Interest (CSPI). This petition asks FDA to establish a Daily Reference Value for "added sugars" in foods and to require that the Nutrition Facts panel include the amount and percent Daily Value of added sugars in a serving. In addition, CSPI requested that FDA change related labeling regulations for nutrient content and health claims. As part of the petition review process, FDA believed that it was appropriate to determine the extent of information available concerning the impact of ingestion of added sugars on the diet and public health. To this end, on June 26, 2000, FDA published a notice of availability (NOA) concerning the petition and requested the submission of information relative to added sugars in the diet. The comments to the NOA will be considered in our evaluation of the petition.

In addition, FDA will consider the report of the Institute of Medicine, National Academy of Sciences (IOM/NAS) entitled, "Dietary Reference Intakes (DRIs) for Energy, Carbohydrate, Fiber, Fat, Fatty Acids, Cholesterol, Protein and Amino Acids," issued September 5, 2002. In its report, the IOM/NAS suggests a maximal intake level of 25 percent of energy from added sugars. In an effort to incorporate the new DRIs in food labeling, the Agency has a separate contract with IOM/NAS to develop recommendations for the methodology to be

99P-2630

ANS 1

used to select reference values for labeling foods based on the DRIs. The study will identify general guiding principles for use in setting reference values for nutrients on the food label, recognizing there may be modifications of the approach based on special situations or physiological needs related to each nutrient. Information on this contract may be obtained from the IOM/NAS website at: <http://nationalacademies.org/cp.nsf> (search on "nutrition labeling"). The project is scheduled for completion in September 2003, after which FDA will study the report and develop a proposed rule to update nutrition labeling regulations. It is expected that the proposed rule will include a discussion of a possible Daily Value for sugars.

A copy of your letter has been forwarded to our Dockets Management Branch to become part of the official record for this citizen's petition.

Thank you again for contacting us concerning this matter. We appreciate your interest in FDA's food labeling regulations. If you have any further questions or comments, please let us know.

Sincerely,



Amit K. Sachdev  
Senior Associate Commissioner  
for Legislation

cc: Dockets Management Branch, HFA-305  
Docket No. 99P-2630