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BUMBLE BEE SEAFOODS, INC.

P.O. Box 85362
9655 Granite Ridge Drive
Suite 100
San Diego, CA
92123
Tel: 858 715 4000
Fax: 858 560 6045

January 7, 2003

Ms. Felicia B. Satchell
Chief, Food Standards Branch
Office of Food Labeling (HFS-820)
Center for Food Safety and Applied Nutrition
Food and Drug Administration
5100 Paint Branch Parkway
College Park, MD 20740-3835

Re: Request for Temporary Marketing Petition for Bumble Bee Chunk Light
"Touch of Lemon" Tuna

Dear Ms. Satchell:

Bumble Bee Seafoods, Inc. respectfully requests a temporary marketing permit under 21 CFR § 130.17 to market chunk light tuna in water, mildly flavored with lemon juice and lemon oil and labeled as "Bumble Bee Chunk Light Tuna" with a trade name of "Touch of Lemon" and a packing medium/flavoring descriptor stating "In water, with natural lemon flavor" (see attached label sample). We believe this petition is not controversial and would greatly benefit consumers.

As background, 21 CFR 161.190.(a).(6).(vii) permits the use of lemon flavoring for canned tuna provided that it is "prepared from lemon oil and citric acid together with safe and suitable carriers for the lemon oil which are present at non-functional and insignificant levels in the finished canned goods." For this product, we are instead combining 1g of natural lemon juice with 0.5g of lemon oil to achieve our desired, mild flavor profile, while using ingredients which are GRAS and which the U.S. consumer recognizes as safe and common in her household. Consumers frequently squeeze a wedge of lemon atop tuna to yield a milder flavor and aroma (an effect we are attempting to mirror), and in consumer research they equate this to lemon *juice* rather than lemon *oil*.

Additionally, 21 CFR 161.190.(a).(8).(vi) prescribes the required labeling for this type of product by stating "If the flavoring ingredients designated in paragraph (a)(6)(vii) of this section are used, the words "lemon flavored" or "with lemon flavoring" shall appear as part of the name on the label; for example "lemon flavored chunk light tuna..""

While our request for the descriptor "In water, with natural lemon flavor" may seem a subtle distinction, it is substantial in the mind of the U.S. consumer. Flavored tunas have been tried many times in the United

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States, but have never been commercially successful. This is because the primary usage for canned tuna remains a tuna fish sandwich, and the consumer does *not* want a flavored tuna to overpower the recipe that she uses to create her tuna sandwich. As we have developed this "Touch of Lemon" product, our consumer research revealed that consumers *would* be interested in a product with just a *mild* lemon flavor – they frequently described it as a "hint of lemon" or a "touch of lemon" – which would replicate her current practice of squeezing a lemon wedge over the tuna to provide mildness to the smell and taste. Labeling language such as "lemon flavored chunk light tuna," however, conveyed to consumers that lemon was the *primary* taste sensation, and their perception was that it would be overpowering, and therefore undesirable. Thus, we believe that the currently mandated language unfortunately dramatically impacts the commercial viability of this product, while the modest modifications we are proposing accomplish both the regulatory need to identify lemon as an ingredient, while also conveying that it is *not* the *primary* taste sensation. Of note, the can label identifies that the product "contains real lemon juice" and that this is "chunk light tuna with just a touch of lemon juice added for a milder, more delicate flavor."

The general information required by 21 CFR 130.17 for the issuance of a temporary marketing permit is set forth below:

1. The applicant is:

Bumble Bee Seafoods, Inc.
P.O. Box 85362
9655 Granite Ridge Drive
Suite 100
San Diego, CA
92123

2. Bumble Bee Seafoods, Inc. is regularly engaged in producing canned tuna products.

3. The applicable standard of identity for canned tuna is 21 CFR § 161.190.

4. Bumble Bee Seafoods, Inc. proposes to market chunk light tuna in water, mildly flavored with lemon juice and lemon oil and labeled as "Bumble Bee Chunk Light Tuna" with a tradename of "Touch of Lemon" and a packing medium/flavoring descriptor stating "In water, with natural lemon flavor" (see attached label sample). This varies from 21 CFR 161.190 in its use of lemon juice as an ingredient, and in its descriptor of "in water, with natural lemon flavor" rather than "lemon-flavored."

5. Tuna canned with the modest addition of lemon juice and lemon oil is equally wholesome and non-deleterious as tuna canned without such flavorings.

6. For this product, we are combining 1g of natural lemon juice with 0.5g of lemon oil to achieve our desired, mild flavor profile, while using ingredients which are GRAS and which the U.S. consumer recognizes as safe and common in her household. We are eliminating 1.5g of water. We are using the descriptor "in water, with natural lemon flavor" rather than the prescribed "lemon-flavored" to better convey the mildness of the taste sensation

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(consumer research suggested that "lemon-flavored" conveyed a strong, primary taste sensation of lemon which was undesirable to consumers for their primary usage in a sandwich).

7. The primary purpose of the variation is to provide a product which is milder in taste and aroma than the current chunk light tuna in water product. We believe that this will increase consumer satisfaction by eliminating two of the highest-reported negatives (overly strong smell, overly strong taste) and thereby increase the U.S. consumer's consumption of canned tuna. We also believe that the proposed labeling will do this in such a way as to enable commercial success, where all other attempts at flavored tuna products have failed. This has primarily been due to the U.S. consumer perceiving that the flavoring was overpowering and incompatible with her primary usage of the product.
8. The proposed variation will benefit consumers by providing a chunk light tuna product with milder taste and milder aroma, both of which are frequent sources of dissatisfaction and likely inhibitors to greater consumption.
9. A copy of the proposed label is attached.
10. Bumble Bee Seafoods, Inc. proposes that the period for the temporary marketing permit begin immediately after the approval of this application and last for a period of not less than 15 months.
11. Bumble Bee Seafoods, Inc. anticipates distributing approximately 1.9 million cases of this product during the test-marketing period. The anticipated number of cases is necessary to ensure that all regions of the canned tuna market are tested.
12. Bumble Bee Seafoods, Inc. intends to distribute canned tuna products produced under the temporary marketing permit throughout the 50 States.
13. Bumble Bee Seafoods, Inc. intends to manufacture the canned tuna product under the temporary marketing permit at:

Bumble Bee Seafoods, Inc.
13100 Arctic Circle
Santa Fe Springs, CA
90670

Bumble Bee International, Inc.
Malecon Industrial Zone,
Jose Gonzalez Clemente Ave.,
Rd. 341 Km 4.5
Mayaguez, PR 00680
14. We intend to distribute the canned tuna product produced under the temporary marketing permit in each of the fifty States.

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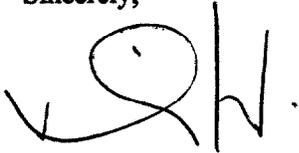
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15. See answer to 14 above.

16. In order to fully assess the consumer response to the canned tuna product produced under the temporary marketing permit, it is necessary to ensure that all regions of the U.S. market are adequately sampled.

Thank you for your consideration of this request for a temporary marketing permit. If you have any questions or require any additional information, please contact me at gibb@bumblebee.com or 604 952 8804.

Sincerely,

A handwritten signature in black ink, appearing to be 'R. Gibb', written in a cursive style.

R. Gibb

Senior Vice President, Quality Assurance.



Recipe on Back

Premium Tuna

BUMBLE BEE



Tuna with a Twist!
"Touch of Lemon" is premium chunk light tuna with just a touch of lemon juice added for a milder, more delicate flavor. So delicious, you'll be tempted to eat it straight from the can.

Premium Tuna

BUMBLE BEE

NO MSG

Nutrition Facts
Serv. Size 2oz drained (56g - about 1/4 cup)
Servings about 2.5
Calories 60
Fat Cal. 5

	%DV*		%DV*
Total Fat 0.5g	1%	Total Carb. 0g	0%
Sat Fat 0g	0%	Fiber 0g	0%
Cholest. 30mg	10%	Sugars 0g	
Sodium 250mg	10%	Protein 13g	26%
Vitamin A 0%		Vitamin C 0%	

*Percent Daily Values (DV) are based on a diet of 2,000 calories a day.



*Printer
Mark-up
La. S.C.P.*



synergy inc

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south coast metro, ca 92704
p. 714.424.0665
f. 714.424.0666

application: Illustrator 8.0
 fonts: Christiana, Helvetica, Futura
 imports: None
 color: 4c process +PMS 672
 separator:
 printer:
 as: Amy
 designer: Charity
 production: Roy

file: BB-1302 CLW/LEMONROY.ai
 folder: BB-1302
 rmc: TITANIC 2
 date: 12.06.02
 stage: REVIEW
 notes:



CLIENT APPROVAL: _____ DATE: _____

TO THE CLIENT: We advise all clients to check the accuracy of supplied artwork before it is released to any external supplier (i.e. separator, printer, etc.). PLEASE NOTE: Synergy Inc. is not responsible for the scanability of the UPC. We recommend that the client coordinate test scans of the UPC with the separator and/or printer.

6oz. MASTER CAN TEMPLATE 1 3/16" X 10 5/8"

McCollum, Linda J

From: Tardi, Anita I. (BB) [tardia@bumblebee.com]
Sent: Friday, March 07, 2003 1:59 PM
To: McCollum, Linda J
Cc: Gibb, Roger D. (BB); Stiker, John C. (BB)
Subject: Touch of Lemon TMP

- > Karen,
- >
- > As discussed, please find the response to the 3 questions requiring
- > clarification.
- >
- > Item 6. How much tuna will be added per can?
- >
- > The product will meet press weight, as defined in the Sol. We will add
- > the same amount of tuna as in our current Chunk Light products which, of
- > course, meet federal standards for press weight. The 1.5g addition of the
- > lemon components will replace water that is currently added to our regular
- > Chunk Light Tuna product. While we don't release our fill levels for
- > competitive reasons, we can say that for ~~1.9 million cases~~ we anticipate
- > using around 20,000 tons of skipjack.
- >
- > Item 8. Were there any earlier studies to support the product?
- >
- > We have conducted fairly extensive consumer research on this item,
- > including both qualitative and quantitative testing. The qualitative work
- > was used primarily to refine the product formulation (resulting in an
- > overall rating of 4.7 out of 5 in our last round of research, and a
- > product that was preferred to our "regular" chunk light product 7-to-1)
- > and to optimize the product name and label design (which is what gave us
- > the insight that it should be named "Touch of Lemon", as other identifiers
- > suggested too MUCH lemon flavor, which was a turn-off to consumers). The
- > quantitative work was a concept test run through Accupoll, which measured
- > purchase intent, liking, value, and other measures. On all measures, the
- > concept scored extremely well, with a grade of A+ for overall liking which
- > is exceptional for a new tuna product. In conclusion, we have done a
- > substantial amount of work to suggest that we have a good concept, a
- > well-formulated and well-accepted product, and a label which accurately
- > communicates to the consumer what she should expect from the product
- > within.
- >
- > Item 11 - Is 1.9 million cases a probable quantity that will be
- > distributed?
- >
- > We sell 5.5 million cases of Light Meat Tuna in the United States
- > annually. While it remains to be seen exactly how successful Touch of
- > Lemon will be with customers and consumers, based on the favorable
- > feedback we've seen to date we don't think it's unreasonable that it could
- > be as much as 25% of our business over the test period.
- >
- >
- >
- > Anita



synergy inc

memo

to: Linda McCollum
Food & Drug Administration

date: March 28, 2003

from: Amy Kerns

cc: Anita Tardi
Bumble Bee

re: Touch of Lemon Label

Per Anita Tardi's request, enclosed is a copy of the Bumble Bee Touch of Lemon label for you review.

Feel free to contact Anita or me if you have any questions or need additional information.

UPC HAS BEEN CREATED
IN BAR CODE PRO AND PLACED
100K

TYPE IS 100C100Y55K

BANNER GRADATION:
100C 100Y 55K - 95C 95Y C

TRIM

Drop Shadow
on Logo
is 100% PMS 872

1/8" BLEED

TYPE IS 100K

GRADATION:
100M 100Y -
8C 100M 60Y 23K!



Recipe on Back

Premium Tuna
BUMBLE BEE
Chunked Tuna
with a touch of Lemon
100% Natural Lemon Flavors

With
Real Lemon
Juice



NET WT
6 OZ (170g)

Load with
premium cher
with just a tou
gave added to
more delicat
delicious, you
to eat it straight

Banner is PMS 872
100% - 20% - 100%

Drop IS 100% PMS 872

Drop is
100% PMS 872

Gradient of
PMS 872

Handwritten notes:
Bumble Bee
100% - 20% - 100%

TYPE IS PMS 872

ETRY TO TRIM Drop Shadow on Logo is 100% PMS 872

TYPE IS 100K

TYPE IS 100K

1/4" GLUE FLAP

Premium Tuna  PARVE

Touch of Lemon
Water with Natural Lemon Flavor

Nutrition Facts	
Amount/serving	%DV*
Serv. Size 2oz drained (56g - about 1/4 cup)	
Servings about 2.5	
Calories 60	
Fat Cal. 5	
Total Fat 0.5g	1%
Sat Fat 0g	0%
Cholest. 30mg	10%
Sodium 250mg	10%
Total Carb. 0g	0%
Fiber 0g	0%
Sugars 0g	
Protein 13g	23%
*Percent Daily Values (DV) are based on a 2,000 calorie diet.	
Vitamin A 0%	Vitamin C 0%
Calcium 0%	Iron 2%
Niacin 20%	Vitamin B-6 8%
Vitamin B-12 20%	Phosphorus 8%

INGREDIENTS: LIGHT TUNA, WATER, VEGETABLE OIL, SALT, BENCHIL JUICE, NATURAL LEMON FLAVOR, CONTAINS TUNA, SOY.

DISTRIBUTED BY: Copia Foods, SAN DIEGO, CA 92106

FOR INQUIRIES CONCERNING PRODUCT OR INCLUDE NUMBER SHOWN ON CAN END.

Drop is 100% PMS 872

Drop IS 100% PMS 872

anner is PMS 872 10% - 20% - 100%

LOGO IS 100M 100Y



synergy inc

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application: Illustrator 8.0
 fonts: Christiana, Helvetica, Futura
 imports: None
 color: 4/c process +PMS 872
 separator:
 printer:
 ae: Amy
 designer: Charity
 production: Charity

file: BB-1302 CLW W/LEMON fnl.ai
 folder: BB-1302
 mac: Corner Office
 date: 12.10.02
 stage: Final
 notes:



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