



June 7, 2005

Division of Dockets Management (HFA-305)
Food and Drug Administration
5630 Fishers Lane
rm. 1061
Rockville, MD 20852

RE: Agency Information Collection Activities; Proposed Collection; Comment Request; Experimental Study of Carbohydrate Content Claims on Food Labels
Docket No. 2005N-0120

The Calorie Control Council (the "Council") is an international association of manufacturers of low/reduced calorie, low/reduced fat, and light foods and beverages. Companies making the alternative sweeteners, fat replacers and low-calorie bulking agents for these products are also members of the Council.

The Council has been requested by one of its members to suggest that the FDA consider the following with respect to the proposed experimental study of carbohydrate content claims on food labels.

Labeling of "low calorie ingredients" (carbohydrates with reduced caloric values would be separated from total carbohydrates on the Nutrition Facts Panel)

U.S. consumers are clearly interested in the caloric and carbohydrate content of the foods and beverages they eat. The Council's 2004 Light Products Usage and Weight Control Habits Survey, which is nationally projectable, found that 51% of those surveyed agree that they "always try to check the nutrition label for calories." Thirty-eight percent reported that carbohydrate content is a factor in food purchases. Among dieters, that number jumps to 64%. Of those who say carbohydrate content is a factor in food purchasing, "reduced-carbs" (58%) is the most attractive label followed by "net carbs" (21%). "Impact carbs" was only mentioned as a preference by 4%.

It would therefore be of great value to consumers if they were better informed about the caloric contribution of carbohydrates on the Nutrition Facts Panel to help in healthy food choices. With the current labeling regulation it is not possible for the consumers to determine which carbohydrates supply a high caloric value and which have a reduced caloric value. In order to solve this problem it is necessary to divide carbohydrates into groups based upon their caloric value instead of using the traditional classification system based upon chemical structure.

The chemical nature of carbohydrates is not a reliable indicator of their physiological effect or their caloric value. Carbohydrates differ physiologically in that some are hydrolyzed and absorbed in the small intestine and are then metabolized (e.g., glucose, fructose, sucrose, cooked starch); some are not completely hydrolyzed and metabolized (e.g., lactose, isomalt, sorbitol, xylitol); some are absorbed, not metabolized and excreted via urine (e.g., erythritol, mannitol); some pass through the small intestine unchanged and are fermented completely or partially by gut

bacteria (e.g., polydextrose, pectin, fructo-oligosaccharides, inulin, resistant starch, tagatose); and some pass through the digestive tract unchanged and are barely fermented (e.g., cellulose). The amount of the carbohydrate metabolized and absorbed is directly related to the caloric value of the carbohydrate.

Eliminating carbohydrates with reduced caloric values (such as fibers, sugar alcohols, other low digestible carbohydrates) from the declaration of carbohydrates in the Nutrition Facts Panel would simplify carbohydrate labeling and more effectively address recommendations of scientists and scientific groups and consumer concerns.

We suggest therefore that a new nutrient group be made outside carbohydrates on the Nutrition Facts Panel, called “LOW CALORIE INGREDIENTS.” In the “LOW CALORIE INGREDIENTS” group, there would be two subgroups, “FIBER” and “OTHER.” The “OTHER” group would consist of polyols and other low digestible carbohydrates with FDA accepted low caloric values.

There are a number of carbohydrates that FDA has agreed have a reduced caloric value (less than the four calories per gram generally assigned to carbohydrates). These reduced caloric carbohydrates include tagatose, polydextrose, and the sugar alcohols.

As a reference, it should be noted that Foods Standards Australia New Zealand has already excluded a number of low digestible carbohydrates from the carbohydrate group in the Nutrition Facts Panel. The carbohydrates which are excluded are: erythritol, glycerol, isomalt, lactitol, maltitol, mannitol, organic acids, polydextrose, sorbitol, D-Tagatose, xylitol¹.

The term “low-calorie ingredient” is a term consumers can understand and would emphasize the reduced caloric nature of the product.

In conclusion, we request that the FDA explore in its experimental study a modification of the Nutrition Facts Panel to distinguish carbohydrates based upon caloric value and eliminating the low caloric value carbohydrates from the “total carbohydrate.” These carbohydrates would be specifically called “low calorie ingredients” with two subgroups called “fiber” and “other.” Such labeling would greatly assist the consumer in determining the fiber and caloric content of foods and beverages. And may encourage consumers to consume more fiber and less calories. Including low calorie ingredients with the subgroups fiber and other in the experimental study would assist in determining the usefulness of such information to the consumer.

Respectfully submitted,

Lyn O'Brien Nabors

Lyn O'Brien Nabors
Executive Vice President

¹ Australia New Zealand Food Standards Code: Standard 1.2.8 Nutrition Information Requirements