



OLD FASHIONED VALUES, HONEST TO GOODNESS FRESHNESS

5 5 JAN 13 2005

7 January 2005

Dockets Management Branch  
U. S. Food and Drug Administration, Room 1061  
5630 Fishers Lane  
Rockville, MD 20852

Subj: **PETITION TO AMEND FDA TALK PAPER**

Ref: FDA Talk Paper, T04-46 dated 29 October 2004, FDA Warns Consumers About Risks Associated With Unpasteurized Juice

1. Action Requested. Amendment of the above referenced FDA Talk Paper to replace inaccurate and/or misleading wording, as follows:

a. Title of the FDA Talk Paper: remove the word "unpasteurized" and replace with the word "untreated"; and,

b. First sentence of last paragraph in body of the FDA Talk Paper: remove the word "unpasteurized" and replace with the word "untreated".

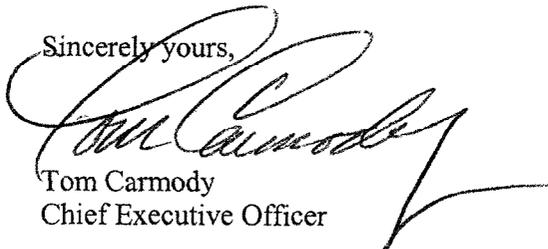
It is further recommended that the FDA include a short sentence or paragraph indicating, by descriptive name, other approved treatment methods (ie. surface treatment of fruit in the case of fresh squeezed citrus juices, ultraviolet light, ultra high pressure, etcetera) in order to inform and eliminate the possibility that consumers reading the talk paper *may* be left with the impression that pasteurization is the only acceptable method of treating juice.

2. Statement of Grounds. Pasteurization is not the only acceptable method of treating juices, as noted above. However, the manner in which the subject FDA Talk Paper is presented leaves the distinct impression that it is; and, therefore, is grossly inaccurate and misleading. Further, the FDA's own JUICE HACCP REGULATION, 21 CFR Part 120, Subpart B – Pathogen Reduction, Section 120.24: Process Controls, discusses the criteria which must be met, and pasteurization is not the only method which will meet those requirements.

3. Environmental Impact. Not required.

4. Official Certification Statement. The undersigned certifies, that, to the best knowledge and belief of the undersigned, this petition includes all information and views on which the petition relies, and that it includes representative data and information known to the petitioner which are unfavorable to the petition.

Sincerely yours,



Tom Carmody  
Chief Executive Officer

2005P-0020

CPI