



*rec'd
5/10/06*

Nancy L. Schnell
Deputy General Counsel - Marketing and Regulatory

May 10, 2006

Kathleen Ellwood, Ph.D.
Director, Nutrition Programs and Labeling Staff
Office of Nutritional Products, Labeling and
Dietary Supplements (HFS-830)
Center for Food Safety and Applied Nutrition
Food and Drug Administration
5100 Paint Branch Parkway
College Park, MD 20740

Dear Dr. Ellwood:

Regarding the petition to amend the phytosterol health claim that we submitted on May 5, 2006, please find enclosed copies of five publications that were cited in the References but that were not included among the submitted publications.

The enclosed website entitled National Center for Health Statistics, "Overweight Prevalence," <http://www.cdc.gov/nchs/fastats/overwt.htm>, was accessed on 5/9/06. Therefore, the access date in the reference list is amended to refer to 5/9/06.

Sincerely,

Nancy L. Schnell
Nancy L. Schnell

Deputy General Counsel –
Marketing and Regulatory

cc: Constance B. Henry (HFS-832)

2006 P-0316

SUP 1