

MEMORANDUM OF TELEPHONE CONVERSATION

March 17, 2005

0025 5 MAR 24 P2:19

Between: Patricia Magee Vaughan
General Counsel
American Beverage Association (formerly National Soft Drink Association)

and

Loretta Carey
Food Labeling and Standards Staff
Office of Nutritional Products, Labeling, and Dietary Supplements (ONPLDS)

Subject: Petition to amend the regulation governing the placement of soft drink identity statements (Docket No. 93P-0296/CP1)

I called Ms. Vaughan at the American Beverage Association, formerly National Soft Drink Association, to discuss National Soft Drink Association's petition of August 4, 1993 (Docket No. 93P-0296/CP1) requesting FDA to amend the regulation governing the placement of soft drink identity statements when the product is identified by a well-known trademark.

I asked Ms. Vaughan if the American Beverage Association was still interested in a response to the petition submitted on behalf of the National Soft Drink Association in August of 1993 (Docket No. 93P-0296/CP1). Ms. Vaughan stated that FDA could withdraw the petition without prejudice to a future filing. Ms. Vaughan said that I should use this memorandum of telephone conversation to facilitate such withdrawal. I informed Ms. Vaughan that I would be happy to do so.


Loretta Carey

93P-0296

MT 1