

  
**Juice Products**ASSOCIATION P4:33  
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March 9, 2006

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

Via Fax: 301/827-6870

RE: Listing of Color Additives Exempt from Certification; Food,  
Drug, and Cosmetic Labeling; Cochineal Extract and  
Carmine Declaration  
[Docket No. 1998P-0724, formerly 98P-0724]  
RIN 0910-AF12

Dear Sir or Madam:

The Juice Products Association (JPA) is a trade association whose international membership consists of major packers and distributors of a wide variety of fruit and vegetable juices, juice beverages, drinks, jams, jellies, fruit spreads and other fruit products. Our members represent a significant majority of the juice and juice beverage processors in the United States. JPA submits the following comments on the Food and Drug Administration's (FDA) proposed rule, published in the January 30, 2006 *Federal Register* (71 FR 4839), to require the declaration of cochineal extract and carmine on the label of all food and cosmetic products.

JPA supports FDA's proposal to require the declaration of cochineal extract and carmine in the ingredient statement of the food label. The proposed rule was initiated, in part, due to reports of severe allergic reactions, including anaphylaxis, in individuals who have consumed products containing either of these color additives. JPA believes consumers should be made aware of these additives in foods due to their potential to cause allergic reactions.

The Food Allergen Labeling and Consumer Protection Act of 2004, which became effective on January 1, 2006, was a major step to address the needs of food allergic consumers and provide information on food labels about the presence of the eight major food allergens. Our members were diligent in their efforts to comply with the regulations outlined in the Act.

The proposed rule indicates that the Center for Science in the Public Interest (CSPI) submitted a citizen petition to the FDA requesting, in part, that the Agency require the labeling of animal (insect) origin of cochineal extract and carmine. We agree with FDA's assessment that it is not necessary to require the declaration of animal (insect) origin on the label for these food additives.

98P-0724

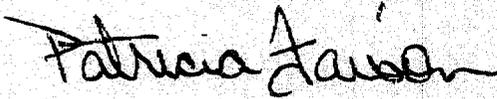
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Although we support the proposed rule to declare cochineal extract and carmine on food labels, our concern is continual revisions to the food label, which ultimately have an economic impact on manufacturers and processors. Some companies recently revised their labels to comply with the Food Allergen Labeling and Consumer Protection Act of 2004 and FDA's final rule covering *trans* fatty acid labeling. If the proposed rule on cochineal extract and carmine becomes final, manufacturers not currently declaring these color additives will be subject to additional labeling changes, if they continue to use the two color additives in their products. If FDA is considering additional changes to the label, including the labeling of other allergens, we request that FDA ensure changes are proposed during the same timeframe to avoid additional expense to manufacturers. Although FDA's announcement of uniform compliance dates for new food labeling requirements serves to minimize the economic impact of label changes, it would be beneficial if labeling changes were better coordinated so manufacturers could make multiple changes to the label at one time, if necessary.

JPA appreciates your consideration of these comments.

Sincerely,



Patricia Faison, M.S.  
Technical Manager