



FEB 22 2002

4026 '02 FEB 28 P2:25

Mr. John J. Urbanski
Vice President
Technical Sales and Services
Wilbur Chocolate Company, Inc.
Lititz, Pennsylvania 17543

Re: 21 CFR 130.17(f) - Participation in Extended Temporary Marketing Test of
"White Chocolate" under Docket No. 93P-0310

Dear Mr. Urbanski:

This is in response to your label submission for the product "Platinum 2000 White Chocolate Coating." The final labels, which will be used for market test purposes under the temporary market permit for "white chocolate" that was announced in the Federal Register of December 29, 1994 (59 FR 67302; Docket No. 93P-0310), have been reviewed and are acceptable for their intended use.

If you have further questions, please do not hesitate to contact us.

Sincerely yours,

Catalina Ferre-Hockensmith
Division of Standards
and Labeling Regulations
Office of Nutritional Products, Labeling
and Dietary Supplements

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January 29, 2001

Beldner
Wilbur 74636
CHOCOLATE

GERKENS
COCOA

Director,
Division of Standards and Labeling Regulations
Office of Nutritional Products, Labeling and
Dietary Supplements (HFS-820)
Center for Food Safety and Applied Nutrition
Food and Drug Administration
200 C Street SW
Washington DC, 20204

FEB - 5 2001

Subject: Response to January 9, 2001 Permit to Label Product as "White Chocolate"

To Whom It May Concern:

We are writing in response to your agency's letter of January 9, 2001 in which permission was extended to label our Platinum 2000 as "white chocolate"

Per the request detailed in that letter, we are forwarding the enclosed samples of our finished labels for the product. As stated in our request for the permit, we will be packing this product in 50 pound net and 1800 pound net cartons. Samples of both labels are enclosed.

Wilbur Chocolate is a manufacturer of chocolate and confectionery products for the food industry. Our products are used in candy, dairy, bakery and packaged food products. Each time we introduce a new white product, we receive many inquiries regarding our customers' ability to transfer the "white chocolate" label. We have always responded that they are also obligated to request permission from your office to use this label declaration. It appears that one of our competitors has indicated that their customers can label products manufactured with their "white chocolate" once they'd received permission themselves to use said labeling. Is it possible for end users of these coatings to state "made with white chocolate", "covered with white chocolate" or any variation on that theme? We would appreciate any guidance that we can, in turn, relay to our customer base.

Sincerely,


John J. Urban
Vice President
Technical Sales and Marketing

Wilbur[®]
The
Power
of
Chocolate™

Platinum 2000 White Chocolate Coating

Ingredients: Sugar, Cocoa Butter, Whole Milk, Non-Fat Dry Milk, Milk Fat, Soya Lecithin (an emulsifier), and Natural Vanilla Flavor.

This item contains dairy products.

Wilbur Chocolate Co., Lititz, PA 17543

Net Weight 1800 Lbs. ^{1/01}
(816.33 kg)

Recommended Storage Temperature: 55-65° F.

Relative Humidity: 50%

043163-501

LOT

○ A CARGILL FOODS Company

 DAIRY

Wilbur®

The
Power
of
Chocolate™

Platinum 2000 White Chocolate Coating

Ingredients: Sugar, Cocoa Butter, Whole Milk, Non-Fat Dry Milk, Milk Fat, Soya Lecithin (an emulsifier), and Natural Vanilla Flavor.

This item contains dairy products.

Wilbur Chocolate Co., Lititz, PA 17543

Recommended Storage Temperature: 55-65° F.

Relative Humidity: 50%

043163-500

LOT

Net Weight 50 Lbs.
(22.68 kg)

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11/00

MEMORANDUM OF PHONE CALL

DATE: January 10, 2002

BETWEEN:

John J. Urbanski, Vice President
Wilbur Chocolate

AND

Catalina Ferre-Hockensmith
Division of Standards and Labeling Regulations

I called Mr. Urbanski to discuss his question stated in his letter of January 29, 2001. In his letter, Mr. Urbanski stated that they sell their products to the food industry and their products are used in candy, dairy, bakery, and packaged food products. Mr. Urbanski indicated that they received many inquiries regarding their customers ability to transfer the "white chocolate" label. He said that they have always responded that all companies are also obligated to request permission from CFSAN to use that label declaration. He mentioned that one of his competitors has indicated that their customers can label products manufactured with their "white chocolate" once they had received permission themselves to use said labeling. Mr. Urbanski asked if is possible for end users of these coatings to state "made with white chocolate," "covered with white chocolate" or any variation on that theme. I told Mr. Urbanski that all manufacturers that sell the product "white chocolate" need a Temporary Marketing Permit to use the term "white chocolate" on the label and to sell the product.