

Calorie Control Council

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February 20, 2004

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

RE: 97P-0056/CP 1

In February 1997, the Calorie Control Council (the "Council") submitted a citizen petition requesting "that the Commissioner of Food and Drugs advise the food industry that it may use a caloric value of not more than 2 calories per gram for soluble fiber in food labeling, including Nutrition Facts labeling." In March 1999, the Council, acknowledging FDA's time constraints, requested that FDA allow the Council to inform its members that a food factor of 2 may be used until such time that the FDA can complete its regulatory review of the Council's petition.

The FDA responded negatively to the Council's 1999 request and noted that the action requested in the petition requires notice and comment on rulemaking and "In addition to the question raised in your petition about the caloric contribution of fiber, questions also remain about the definition of dietary fiber, in general, and more specifically about the definition of soluble fiber."

Since FDA's 1999 response to the Council, the Institute of Medicine of the National Academies has issued its final report, "Dietary Reference Intakes for Energy, Carbohydrate, Fiber, Fat, Fatty Acids, Cholesterol, Protein, and Amino Acids," in part funded by the FDA. While Chapter 7, "Dietary, Functional, and Total Fiber," of that report does not refer to fiber as insoluble and soluble fiber it does state, "While it is still unclear as to the energy yield of fibers in humans, current data indicate that the yield is in the range of 1.5 to 2.5 kcal/g."

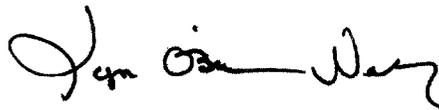
Further supporting the importance of dietary fiber, the IOM report concludes that fiber is associated with reduced risk of coronary heart disease and "the greatest benefit comes from cereal fibers and viscous *Functional Fibers*, including gums and pectins." (Gums and pectins are soluble fibers.) The report also concludes, for example, that there are beneficial effects of fiber with respect to gastrointestinal health. Furthermore, IOM notes "there is a seemingly large gap between current fiber intake and that which is recommended" In sum, the IOM not only confirms the benefits of dietary fiber but also their reduced caloric value.

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Again, the Council urges the FDA to allow a not more than 2 calorie/gram value for soluble fiber. The Council would be pleased to assist the agency in any way to expedite approval of this request. Please contact us if we may be of assistance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lyn O'Brien Nabors". The signature is fluid and cursive, with a long horizontal stroke at the end.

Lyn O'Brien Nabors
Executive Vice President