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Ms. Nancy Chapman  
Executive Director  
Soyfoods Association of North America  
1723 U Street, NW  
Washington, DC 20009

Dear Ms. Chapman:

This is to acknowledge receipt of your March 9 and March 15, 2000, letters to the Food and Drug Administration (FDA) regarding the use of the term "soymilk." Your letters were in response to the letter FDA received from the National Milk Producers Federation (NMPF) that opposed the use of the term "soymilk" to describe beverages made from soy. We regret the delay in responding to your inquiry.

First, let me thank you for the information that you provided in your March 9 letter. In your letter you stated that it would be inappropriate for FDA to take regulatory actions against products labeled "soymilk" based on the letter from NMPF without first responding to the citizen petition from the Soyfoods Association of North America requesting that FDA establish a common or usual name for soymilk. While we appreciate your comments about NMPF's letter, we are sure you recognize that FDA must be responsive to its regulatory mission and evaluate the merits of the issues raised in NMPF's letter. Please be assured, however, that FDA will use appropriate judgement in determining what follow-up is warranted. Further, we note that any enforcement action that may be initiated by FDA would be based on existing regulations and not on pending petitions.

We would also like to thank you for your offer to provide additional information for FDA to use when reviewing the Soyfoods Association's citizen petition requesting that FDA recognize "soymilk" as the common or usual name for certain soy-based beverages. Please be assured that we will contact you should we require additional information to evaluate your petition. Also, please note that copies of your letters will be added to Docket No. 97P-0078. In addition, FDA has also placed a copy of NMPF's letter in the same docket.

We hope to be able to respond to your petition in the near future. As you may know, the Center for Food Safety and Applied Nutrition (CFSAN) is establishing program priorities for fiscal year (FY) 2001. As part of its annual planning, budgeting, and resource

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allocation process, CFSAN is reviewing its programs to set priorities and establish work product expectations. We will consider whether the issue of soymilk will be one of the priorities for FY 2001.

Thank you, again, for your input.

Sincerely yours,

A handwritten signature in cursive script that reads "Loretta A. Carey".

Loretta A. Carey  
Division of Standards  
and Labeling Regulations  
Office of Nutritional Products, Labeling  
and Dietary Supplements