

JUICE MERCHANDISING CORP.



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DOCKETS MANAGEMENT BRANCH (HFA-305)
Food and Drug Administration, Room 1061
5630 Fishers Lane
Rockville, MD 20852

Reference: Docket #00N-1351

RE: FDA Proposed Rule
Food Labeling; use of the term "FRESH" For foods processed
with alternative nonthermal technologies.

My company is a small business supplier to retailers who have in-store fresh juice programs. We have been in business since 1975. In all these years of talking to customers, when people see the word "Fresh", they believe that the product was made that day with a shelf life of 2 - 3 days.

In todays environment, Fresh is used by many companies to sell products that truly are not fresh. This is confusing to the customers. Customers want and deserve a way to identify foods that taste and look fresh.

Allowing the term " Fresh" on foods processed with new technologies place small firms not able to use these technologies at a great economic disadvantage. In fact it may threaten their survival. Food processed with alternative technologies should not be labeled as fresh.

Sincerely yours,

Robert E Bushman
President
Juice Merchandising Corp.

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