



DEPARTMENT OF HEALTH & HUMAN SERVICES

Food and Drug Administration
5600 Fishers Lane, HF-22
Rockville, MD 20857

MEMORANDUM

TO: Docket No. 2000N-1269
RE: Consultations with State Officials and Organizations

In developing the final rule on physician labeling, in January 2006, Food and Drug Administration (FDA) officials consulted with a variety of State officials and representative organizations about the potential inclusion of preamble language reiterating longstanding FDA policy about circumstances where Federal law regulating drug labeling should preempt claims about failure to warn in lawsuits brought in State courts.

FDA officials consulted with the following State officials or organizations that represent State officials and governments.

National Governors Association
Council of State Governments
American Legislative Exchange Council
National Conference of State Legislatures
Office of Mississippi Governor Haley Barbour
Office of Indiana Governor Mitch Daniel

Most of the offices and organizations FDA contacted expressed no opposition or no significant opposition, although one party did express significant opposition.