



**MEMORANDUM OF TELEPHONE CONVERSATION**

Date: February 22, 2007

Between

Ritu Nalubola, Ph.D.  
Food Labeling and Standards Staff  
Office of Nutrition, Labeling and Dietary Supplements  
Center for Food Safety and Applied Nutrition

and

Regina Hildwine  
Grocery Manufacturers Association/Food Products Association (GMA/FPA)

Subject: Citizen Petition filed by the Grocery Manufacturers Association (Docket No. 1995N-0294/CP 1)

In 2005 FDA and FSIS jointly published a Notice of Proposed Rulemaking (NPRM) proposing a set of general principles for food standards modernization. The proposed principles would establish the criteria that the agencies would use in considering whether a petition to establish, revise, or eliminate a food standard will be the basis for a proposed rule. These proposed general principles are the agencies' first step in instituting a process to modernize their standards of identity (70 FR 29214; May 20, 2005).

The Grocery Manufacturers Association (GMA) submitted comments in response to the proposed rule (filed as Docket No. 1995N-0294/EC 6). Among other comments, the GMA encouraged the agency to consider additional complementary actions and stated its intention to prepare a detailed petition on its proposed complementary approach. GMA subsequently submitted a citizen petition that was filed on October 20, 2006, as Docket No. 1995N-0294/CP 1. In this citizen petition, GMA requested the agency to adopt regulations of general applicability to all food standards that would permit, within stated boundaries, deviations from the requirements of the individual food standards of identity.

The agency believes that the actions requested in this petition are outside the scope of the proposed rule on food standards general principles. I called Ms. Regina Hildwine of GMA/FPA (GMA is now GMA/FPA) to recommend that GMA's petition should be filed into a separate docket and assigned a new docket number. Ms. Hildwine informed me on February 28, 2007, that GMA/FPA agrees that the petition should be assigned a new docket that is separate from Docket No. 1995N-0294.