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February 23, 2006

Division of Dockets Management
Food & Drug Administration
5630 Fishers Lane, Room 1061
Rockville, MD 20852

To Whom It May Concern:

RE: Docket Number 1998P-0724, RIN Number 0910-AF12, Agency: Food and Drug Administration, HHS

This letter is in response to the proposal to revise the FDA requirements for declaration of cochineal extract and carmine on the label of all food and cosmetic products that contain these color additives.

As a manufacturer of both branded and private label food and beverage products, Johanna Foods, Inc. feels that there is inadequate scientific data to verify consumer benefit in support of revision to the current regulation.

Currently there exist unproven claims that cochineal extract/carmine sensitivity exists and applies to an extremely select number of consumers. Saturating the general public with statistically irrelevant and questionable information only serves to confuse and intimidate the average consumer. By focusing attention on a single, natural ingredient that is being portrayed distastefully, the FDA may inadvertently influence retailers to turn to artificial colorants that in some instances affect certain consumers in an adverse manner.

Johanna Foods supports any directive that will materially benefit consumers, however, consumer benefit and cost must be appropriately balanced. The manufacturing cost to change products and packaging in compliance with this proposal will cost the industry millions of dollars. Given the fact that cochineal extract/carmine sensitivity is not scientifically validated together with the staggering cost of compliance, Johanna Foods recommends that the FDA stay with the current regulation regarding the label declaration of cochineal extract/carmine.

I look forward to your response in this matter.

Sincerely,

JOHANNA FOODS, INC.

A handwritten signature in black ink, appearing to read 'Chris Hirst', is written over the printed name.

Christopher L. Hirst
Vice President Marketing & Aseptic Sales
Johanna Foods, Inc.

98P-0724

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CC: Robert Facchina, President / CEO
Joseph Bonner, Senior Vice President Manufacturing
Steven Steigerwalt, Senior Vice President Supply Chain Management
Douglas Kling, Vice President Sales