



# Congress of the United States

House of Representatives

Washington, DC 20515

July 8, 2003

Dr. Mark B. McClellan  
Commissioner, Food and Drug Administration  
5600 Fishers Lane  
Rockville, MD 20857

Dear Dr. McClellan:

We are writing to express our strong opposition to the International Ice Cream Association's (IICA) petition to change the standards of identity for ice cream and frozen desserts. Changing the standard of identity not only compromises the quality of ice cream and frozen desserts, but also will encourage more dairy product imports that displace domestically produced milk and dairy products.

Already, dairy imports are affecting milk prices received by our dairy producers. U.S. dairy imports grew by 10 percent in the first quarter of 2003 alone, with casein imports totaling 39.9 million pounds, a 47.7 percent increase. Furthermore, Milk Protein Concentrate imports in the first quarter totaled 25 million pounds, an enormous increase of 93.6 percent. America's dairy farmers are getting 25 year low milk prices, and more imports would further suppress and keep farm milk prices low.

A standard of identity should not be viewed merely as a compositional endpoint to be achieved through whatever combination of ingredients will meet the product's chemical definition. However, a standard of identity should preserve the integrity of that product by delivering the attributes the consumer associates with the name of the food each and every time the product is purchased. For many years, the U.S. has been the world's leader in per capita production of ice cream largely due to the on-going commitment to product quality and adherence by the industry to a standard of identity that reinforces that commitment.

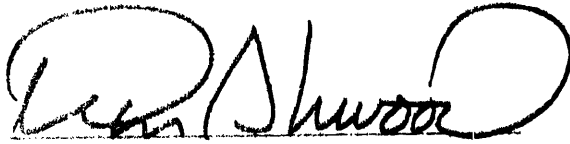
The changes proposed by IICA will lead to the introduction of inferior products and result in unfulfilled consumer expectations and declining sales in America. In order to ensure the integrity and quality of ice cream and frozen desserts, current standards provide important limitations as to how much substitution of milk, cream, and nonfat dry milk can occur.

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IICA even acknowledges that the ice cream category has grown over the years and that the introduction of new products has been steadily increasing with 192 new products in 2002 alone. This is a 19 percent increase over 2001. With this in mind, the current standards of identity are not very restrictive in this regard and have not stopped innovation in the ice cream industry.

Any benefits as a result of all these changes will only serve the interests of the manufacturing sector and not consumers or dairy producers. We strongly object to this petition and ask that you reject the IICA petition to change the standards of identity for ice cream and frozen desserts.

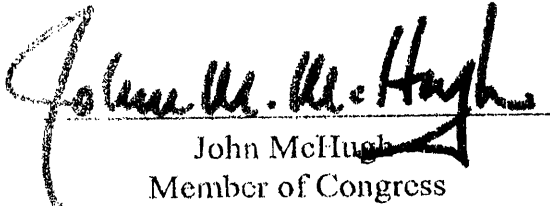
Sincerely,



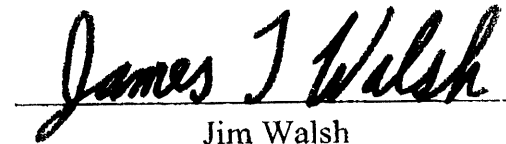
Don Sherwood  
Member of Congress



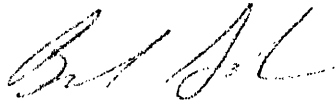
Tammy Baldwin  
Member of Congress



John McHugh  
Member of Congress



Jim Walsh  
Member of Congress



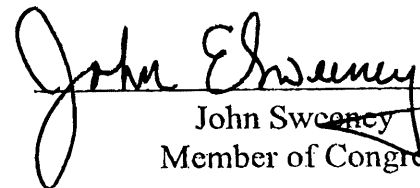
Bernard Sanders  
Member of Congress



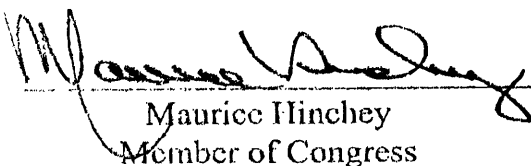
Dave Obey  
Member of Congress



David Vitter  
Member of Congress



John Sweney  
Member of Congress



Maurice Hinchey  
Member of Congress



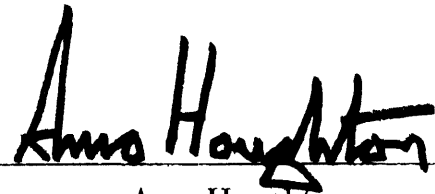
Tim Holden  
Member of Congress

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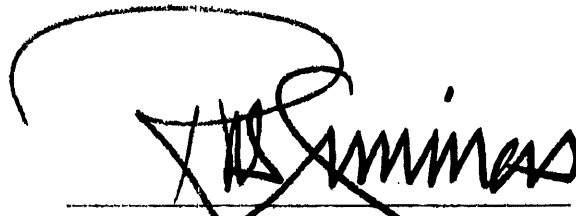
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John Peterson  
Member of Congress



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Amo Houghton  
Member of Congress



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Bob Simmons  
Member of Congress



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Jim Gerlach  
Member of Congress