



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Public Health Service

Food and Drug Administration
Washington, DC

Rec'd in DMS
8/9/01
H.K.H.

MAY 30 2001

Mr. Steve Genzoli
Ghirardelli Chocolate Company
1111 139TH Avenue
San Leandro, California 94578

Dear Mr. Genzoli:

This is to acknowledge your letter of June 22, 2000, to the Food and Drug Administration (FDA), accepting the agency's invitation to participate in the extended temporary market testing of "white chocolate" that was granted to Hershey Foods Corporation (59 FR 67302, December 29, 1994). The amendment will allow for the market test of another product that contains white chocolate. The product will bear the name "Ghirardelli White Chocolate Baking Bar."

The white chocolate component of the product differs from standardized chocolate products in that it is prepared without the nonfat components of the ground cacao nibs, but contains the fat (cocoa butter) expressed from the ground cacao nibs. In all other respects, the white chocolate would conform to the cacao product standards.

Relying on the representations made in your application, we are hereby granting permission to make interstate shipments, for market testing purposes of 120,365 pounds (54,587 kg) of new test product. The product will be manufactured at Ghirardelli Chocolate Company, 1111 139th Avenue, San Leandro, California 94578 and will be distributed throughout the United States.

The draft label that you submitted for the test food is acceptable for the purpose of this market test. A finished label must be submitted to the Team Leader, Conventional Foods Team, Division of Standards and Labeling Regulations, Office of Nutritional Products, Labeling and Dietary Supplements (HFS-820), before the product is shipped in interstate commerce. Each of the ingredients used in the food must be declared on the label as required by the applicable sections of 21 CFR Part 101.

While this permit is in effect, FDA will refrain from recommending regulatory action against shipments of "Ghirardelli White Chocolate Baking Bar" covered by this permit on the grounds that the food fails to comply with the standards of identity for certain chocolate

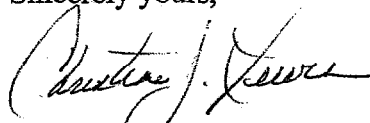
938-0310

LET 96

Page2 -Mr. Steve Genzoli

products, e.g., chocolate liquor (21 CFR 163.111), sweet chocolate (21 CFR 163.123), milk chocolate (21 CFR 163.130), buttermilk chocolate (21 CFR 163.135), skim milk chocolate (21 CFR 163.140), or mixed dairy product chocolates (21 CFR 163.145).

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Christine J. Lewis".

Christine J. Lewis, Ph.D.

Director

Office of Nutritional Products, Labeling
and Dietary Supplements

Center for Food Safety
and Applied Nutrition