



July 21, 2003

6300 '03 JUL 24 P1:26

Docket Management Branch (HFA-305)  
Food and Drug Administration  
5630 Fishers Lane, Room 1061  
Rockville, Maryland 20852

Ref: Docket No. 02N-0434

Dear Sir or Madam:

Florida Crystals, dba Okeelanta Corporation is a major U.S. producer of raw cane sugar and refiner of raw cane sugar into specialty sugar products. In the context of this proceeding we would like to comment in favor of the withdrawal of the existing FDA proposal that permits certain food manufacturers to utilize "and/or" labeling of Soft Drink Products when the sweetener being used is exclusively high fructose corn syrup.

To our knowledge, major U.S. beverage producers exclusively utilize HFCS as the sweetening ingredient in caloric soda and soft drinks. Some specialty ingredient manufacturers that we sell to in the natural foods industry do prefer the use of cane sugar as the sweetener of choice and when they do so, the label refers to sugar, to sucrose, or to evaporated cane juice to denote the source of the caloric sweetener. The cost of the labeling changes to these smaller manufacturers does not seem to be an issue with them, so we assume that this cannot be a legitimate reason for larger manufacturers to resist the accurate labeling of beverages in the larger consumer domain.

While research is ongoing on some of the larger health issues associated with the science surrounding the alternative consumption of sugar and HFCS, enough research has been completed to show that the human body does have some difficulty absorbing large amounts of free fructose, at least when the free fructose is not coincident with sucrose consumption. (American Dietetic Assn. 1998) In light of this research and in the interests of more complete consumer information, it would be much more accurate to require soft drinks sweetened with HFCS to be so labeled, if they are in fact so sweetened. To leave the implication on the can or bottle that sugar may be used as a sweetener when it in fact is not and has never been used to sweeten a particular line of beverage products is not appropriate. This also skews consumption numbers of HFCS and sugar in publicly reported data, complicating the task of medical researchers and others looking into obesity and other health issues.

The FDA's withdrawal of the original proposed draft rule and FDA enforcement of a labeling policy that accurately denotes the source of the sweetener used by a manufacturer is timely and appropriate.

Sincerely,

A handwritten signature in black ink, appearing to read "Van R. Boyette".

Van R. Boyette  
Vice President  
Okcelanta Corporation

02N-0434

C28

Florida Crystals Corporation

340 Royal Poinciana Way, Suite 316 • Palm Beach, FL 33480 • Phone (561) 655-6303 • Fax (561) 659-3206