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Division of Dockets Management (HFA-305)  
Food and Drug Administration  
5630 Fishers Lane, Room 1061  
Rockville, MD 20852

Re: Docket No. 2005N-0413

The U.S. Canola Growers Association (USCA) appreciates the opportunity to comment on issues presented at the Nov. 17, 2005 public meeting entitled "Assessing Consumer Perceptions of Health Claims." Health claims are helpful in communicating valuable nutritional information to consumers.

In order to ascertain that consumers understand a proposed health claim – whether qualified or unqualified – with the appropriate level of scientific certainty, FDA should consider requiring health claim petitioners to provide consumer research data that demonstrates such understanding. Data should address a proposed claim's clarity, believability and level of scientific certainty (or uncertainty in the case of qualified claims). FDA-approved health claims may serve as benchmarks for conveying non-misleading information in an appropriate way.

As subjectivity comes into play with consumers, who draw upon their own knowledge and perceptions in evaluating health claims according to FDA and other research, a consumer study would be useful in determining the appropriate wording for a proposed claim. Consumer panelists should be a nationally representative sample of households based on the current U.S. Census. The number of panelists should be statistically significant and data in the analysis should be tested at a high confidence level.

Each health claim is unique, and consumer knowledge and perceptions of a claim's subject and health condition are unique as well, so case-by-case consumer research seems most appropriate to demonstrate understanding of an intended message. Broad consumer research on a variety of health claims to develop a "one size fits all" policy may prove difficult given the subjectivity of consumers.

Again, health claims are important tools for helping Americans improve their diets. Good consumer research for a proposed claim can assure both the FDA and public that the claim will be interpreted in a way that will benefit public health without being misleading. Thank you for consideration of these comments.

Respectfully submitted,

John Haas, president  
U.S. Canola Association