



December 29, 2005

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

**RE: DOCKET NO. 2001N-0548:
Food Labeling; Guidelines for Voluntary Nutrition Labeling of Raw Fruits, Vegetables, and Fish; Identification of the 20 Most Frequently Consumed Raw Fruits, Vegetables, and Fish.
70 FR 16995 (April 14, 2005).**

We appreciate the opportunity to provide a second set of regulatory comments on the proposed Guidelines for Voluntary Nutrition Labeling of Raw Fruits, Vegetables, and Fish referenced above.

The U.S. Apple Association (USApple) is the only national trade association representing all sectors of the domestic U.S. apple industry, including growers, packers, shippers, marketers and processors. The association was originally organized in 1895.

The membership of USApple includes 36 state and regional apple associations representing the 7,500 apple growers throughout the United States, as well almost 300 individual firms involved in the apple business — growers, packers, shippers, processors and industry suppliers. USApple's mission is to provide the means for all segments of the U.S. apple industry to join in collective efforts to profitably produce and market apples and apple products. A priority of our education program is to provide consumers with accurate nutrition information in order to promote a healthy lifestyle.

USApple is member-driven, and works to unify a diverse industry to achieve three primary goals:

- Represent the entire industry on national issues;
- Grow demand for apples and apple products; and
- Provide vital information impacting the production and marketing of U.S. apples.

USApple commissioned Food Research, Inc. to assist us in reviewing and evaluating the Food and Drug Administration's (FDA) proposed changes in the apple nutrition label in 70 FR 16995. Food Research, Inc. is a scientific research firm with extensive experience in food and nutrition labeling, regulatory issues, data management and database development, nutrient composition research, food consumption research, and other related topics.

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We urge FDA to change the serving size of apples to a large apple (242 grams) to reflect the apples currently marketed and customarily consumed in the United States.

Apple Serving Size

Based on current market data, retailers are selling significantly larger apples than those represented by the existing serving size of 154 gram or 5.5 oz edible portion, which is based on 1975 market data.

The 154-gram serving size for apples does not reflect the majority of apples for sale in the retail market. Current apple size data indicates that a large apple (264 grams whole, 242 grams edible portion) is customarily consumed in the United States. U.S. consumer preferences are for larger apples. Advances in agricultural practices have allowed apple growers to produce larger apples to meet these market preferences.

Price Look-Up (PLU) Size

Our 2004 shipping data and consumer trend research exemplify that consumers prefer a larger apple in 2005, compared to 1975. The nutrition label for apples has not been reviewed or updated since 1975. Over the past 30 years, consumers' tastes and preferences have changed since the nutrition label was developed. As a result, apple growers have adapted to consumers' tastes by growing and marketing more large size apples. Apple production and the apple market have changed significantly as a result.

In addition, only small and large apple sizes exist in today's marketplace. There is no inventory management or PLU sticker which designates a "medium" size apple at the retail level. Apple growers, shippers and retailers do not have a current system which even identifies medium apples for consumers. Shippers identify apples as being small, large or extra large. In today's marketplace, smaller apples typically go to processing and the highest percentage of apples sold at retail are large apples.

The International Federation for Produce Coding (IFPC) is a coalition of fruit and vegetable associations from around the globe that joined together in 2001 as equal partners to pursue the task of introducing a global standard for the use of international Price Look-Up (PLU) numbers. The group's work is coordinated by the Produce Marketing Association. The long-term objective of the Federation is to develop comprehensive solutions on product identification for the entire produce industry supply chain.

Based on the IFPC information, PLU's for apples come in three sizes: small, large, and extra large. There are no medium apples sold at retail in the United States. Small apples range from 100 count to 216 count per box and 190 grams to 88 grams whole weight, respectively. Large and extra large apples range from 88 count to 36 count per box and 216 grams to 529 grams whole weight, respectively.

Market Share Data

Large and extra large are the predominant apple sizes in the market place. Market share data provided by Washington State, which represents 68 percent of the fresh market apples, indicates that over 55 percent of the apples sold at retail are classified as large and extra large.

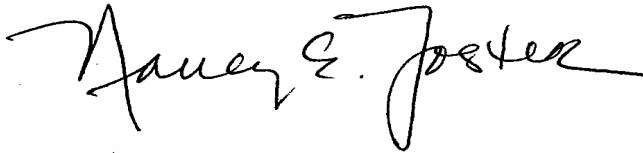
According to the USDA Non-Citrus Fruit and Nut Summary published in July 2005, Washington State supplies 68.57% , or 2/3 of fresh market apples in the United States. Washington is by far the largest producer of fresh market apples compared to New York, Michigan, California, Virginia, and Pennsylvania who supply 10.06%, 3.66%, 2.74%, 2.01% and 1.68% respectively. Washington state apples are distributed nationwide in virtually every region of the country.

We recommend that the nutrition label for fresh apples be changed with regards to serving size. Based on our data discussed above, a large apple (242 grams edible portion) should be listed as the serving size. This recommendation is based on consumer buying preference for large apples, size of apples shipped and preponderance of large apples sold at retail.

In conclusion, we respectfully request that FDA adopt our recommendations to change the serving size of apples from 154 grams to 242 grams. Attached please find our excel spreadsheet for apple data.

Thank you for the opportunity to comment on these important proposed Guidelines. Please do not hesitate to contact me or Wendy Davis, USApple's Director of Communications and Consumer Health, with any questions you may have. Wendy can be reached at 703-442-8850 or wdavis@usapple.org.

Sincerely yours,

A handwritten signature in black ink that reads "Nancy E. Foster". The signature is written in a cursive style with a large, sweeping initial "N" and a distinct "E" before the surname "Foster".

Nancy Foster
President & CEO
U.S. Apple Association