

INSTITUTE OF SHORTENING AND EDIBLE OILS, INC.

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September 16, 2003

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

Re: [Docket No. 03N-0076]
Food Labeling: Trans Fatty Acids in Nutrition Labeling;
Consumer Research to Consider Nutrient Content and Health Claims
And Possible Footnote or Disclosure Statements

Dear Sir or Madam:

The Institute of Shortening and Edible Oils (ISEO) requests an extension of 90 days for the comment period associated with the Advance Notice of Proposed Rulemaking (ANPR) referenced above and appearing in 68 Federal Register 41507, July 11, 2003.

The ISEO is a trade association representing the refiners of edible fat and oil in the U.S. The 18 member companies of ISEO process approximately 90-95% of the edible fats and oils produced domestically which are used in baking and frying fats (shortening), salad and cooking oils, margarines and spreads, and confectionary fats, and as ingredients in a variety of food products. ISEO has significant interest in this ANPR because of its role in the refinement and processing of the fats and oils which may be potentially affected.

ISEO has provided comprehensive comments to FDA on the trans fat labeling issue prior to and particularly since the Agency's proposed trans fat regulation published November 17, 1999. This issue is complex and requires a thorough examination of the scientific evidence on the health effects of trans fats as well as a careful assessment of the methods by which nutrition information may be conveyed without increasing consumer confusion.

ISEO is aware that the Committee on the Use of Dietary Reference Intakes in Nutrition Labeling, Food and Nutrition Board (FNB), Institute of Medicine, National Academy of Sciences is currently finalizing a report due in the Fall of 2003 on the use of Dietary Reference Intake (DRI) information in establishing or revising reference values

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for the purpose of nutrition labeling. Anticipated information in the FNB report, particularly regarding nutrients for which no intake recommendations have been made, including trans fats, will be especially helpful to FDA as it collects the information requested in its ANPR of July 11, 2003. It seems highly prudent for FDA to wait until the FNB Committee Report becomes available in order to utilize the important reference value information contained within it.

By acting prematurely without the benefit of the FNB Committee report, FDA sets the stage to have a piecemeal approach to trans fat labeling. Such action would needlessly subject the food industry to potential successive changes in food label content in a relatively short time frame. Such multiple changes would also be likely to confuse consumers. ISEO suggests FDA wait until the FNB's additional reference value information is available before making food labeling decisions relative to trans fats so that potential changes to the food label could be incorporated at one time. The FNB report on nutrient reference values may also contain information that may prevent unnecessary label changes.

ISEO believes it would be in the best interests of FDA to extend the comment period of the July, 2003 ANPR by at least 90 days in order to utilize the nutrient reference value information anticipated within it. If the FNB Committee's report is late, FDA should consider a reasonable additional extension of the comment period.

Thank you for your consideration of this request.

Sincerely,



Robert M. Reeves
President

RMR:dls