



OCT 23 2001

Mr. Joseph Mendelson, III  
Legal Director  
Center for Food Safety  
660 Pennsylvania Avenue, SE  
Washington, DC 20003

Re: Docket Number 01P-0190/CP1

Dear Mr. Mendelson:

This letter is in response to your citizen petition dated April 20, 2001, which was received and filed on April 23, 2001, under Docket Number 01P-0190/CP1. You requested that the Food and Drug Administration (FDA) amend its labeling regulations to indicate that bottled diet Coca Cola and fountain Coca Cola contain different sweeteners, i.e., aspartame and saccharin, respectively.

In accordance with 21 CFR 10.30(e)(2), this letter is to advise you that we have not been able to reach a decision on your petition within the first 180 days of its receipt because of other agency priorities and limited availability of resources. The Center for Food Safety and Applied Nutrition (CFSAN) is in the process of establishing priorities for 2002 to make the most efficient use of available resources, i.e., "CFSAN Program Priorities." While the Center's priorities are focused on food safety, and now, after the September 11 terrorist attacks, with counter-terrorism, it is unlikely that your petition will be placed on CFSAN's 2002 Program Priorities. However, we are committed to making progress in other areas, such as labeling, and hope to address your petition as our resources allow.

Sincerely yours,

Christine Lewis Taylor  
Director  
Office of Nutritional Products, Labeling  
and Dietary Supplements  
Center for Food Safety  
and Applied Nutrition

OIP-0190

LET 1