



March 2, 2010

Margaret A. Hamburg, M.D.
Commissioner
Food and Drug Administration
U.S. Department of Health and Human Services
10903 New Hampshire Ave.
Silver Spring, MD 20993

Dear Commissioner Hamburg:

We are pleased to submit formally the final published version of our report *Food Labeling Chaos: The case for reform*. CSPI urges the FDA to address the many examples of deceptive labeling identified in our report by taking industry-wide action through notice-and-comment rulemaking and the issuance of enforcement policy statements in the *Federal Register*. In addition, we urge the Agency to proceed promptly with reforms to the Nutrition Facts Panel and ingredient lists so that the food label can fulfill its potential as a health promotion tool.

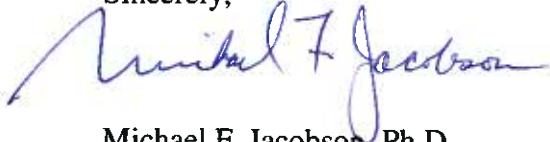
We are encouraged by the FDA's crackdowns on specific misleading claims for General Mills Cheerios and Nestle Juicy Juice, and its expression of concerns about the food industry's "Smart Choices" program that permitted a "better for you" symbol on such products as Kellogg's Froot Loops that provide dubious nutritional value. In addition, we are delighted that the Agency is seriously studying front-of-pack nutrition labeling schemes, as we urged in our 2006 petition. We also are encouraged by meetings we have had with your staff, who have indicated that food labeling reform labeling is once again an Agency priority.

Notwithstanding the FDA's recent actions to prevent deceptive labels and develop a front-of-pack labeling scheme, the problems discussed in our report require fundamental reforms of the FDA's overall approach to ensuring honest and useful food labeling. These issues can be addressed most effectively through rulemaking and industry-wide enforcement policy statements. While we certainly support the actions the FDA has taken to date, we urge you to order a comprehensive review of FDA food labeling regulations, policies, and enforcement methods. That review would be consistent with the First Lady's call for improved ingredient labeling and the Administration's efforts to help both children and adults eat more healthfully to reduce their risk of diet-related disease.

– continued –

We look forward to working with you and your staff to help the FDA ensure that America's food supply is honestly labeled and that nutrition and ingredient labels are used to the fullest extent to improve the public's diet and health.

Sincerely,

A handwritten signature in blue ink that reads "Michael F. Jacobson". The signature is fluid and cursive, with the first name being the most prominent.

Michael F. Jacobson, Ph.D.
Executive Director

A handwritten signature in blue ink that reads "Bruce Silverglade". The signature is cursive and somewhat stylized, with the last name being the most prominent.

Bruce Silverglade
Director of Legal Affairs

A handwritten signature in blue ink that reads "Ilene R Heller". The signature is cursive and somewhat stylized, with the last name being the most prominent.

Ilene Ringel Heller
Senior Staff Attorney