



September 16, 2024

Neal D. Barnard, MD
Physicians Committee for Responsible Medicine
5100 Wisconsin Avenue, NW
Suite 400
Washington, DC 20016

Re: Docket Number FDA-2024-P-1379

Dear Dr. Barnard,

This letter is in response to your citizen petition (FDA-2024-P-1379) received on March 19, 2024, in which you requested that the Food and Drug Administration (FDA) withdraw its March 2024 letter of enforcement discretion and cease exercising enforcement discretion for qualified health claims about yogurt and reduced risk of type 2 diabetes. Specifically, you requested that FDA:

1. Withdraw in its entirety the letter of enforcement discretion dated March 1, 2024, regarding qualified health claims about yogurt and reduce risk of type 2 diabetes; and
2. Cease exercising enforcement discretion for qualified health claims about yogurt and reduce risk of diabetes.

In accordance with Title 21 of the *Code of Federal Regulations*, section 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 the limited availability of resources. When we complete our review of your petition, we will notify you of our decision.

U.S. Food and Drug Administration
Center for Food Safety & Applied Nutrition
5001 Campus Drive
College Park, MD 20740
www.fda.gov

Please let us know if you have any questions.

Sincerely yours,

Claudine Kavanaugh, Ph.D., MPH, RD
Director
Office of Nutrition
and Food Labeling
Center for Food Safety
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