



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Food and Drug Administration
Silver Spring MD 20993

February 25, 2019

James Mulhern
National Milk Producers Federation
2107 Wilson Blvd, Suite 600
Arlington, VA 22201

Dear Petitioner:

Your petition to the Food and Drug Administration requesting that the Commissioner take certain actions to enforce existing “imitation” labeling requirements against nutritionally inferior non-dairy substitutes for standardized dairy food that are named and positioned as forms of “milk,” “yogurt,” “cheese,” “ice cream,” or “butter,” yet fail to provide the “imitation” disclosure statement that is required under the Act and FDA implementing regulations and amend section 101.3(e) of FDA regulations to codify in more detailed form longstanding FDA policies that permit the name of a standardized dairy food to be used in the statement of identity of a non-dairy substitute for the standardized food only under limited and defined conditions was received by this office on 02/21/2019.

It was assigned docket number FDA-2019-P-0777. Please refer to this docket number in future correspondence on this subject with the Agency.

Please note that the acceptance of the petition for filing is a procedural matter in that it in no way reflects an agency decision on the substantive merits of the petition.

Sincerely,

Dynna Bigby
Supervisory Administrative Proceedings Specialist
Division of Dockets Management
FDA/Office of the Executive Secretariat (OES)