



December 4, 2020

James Trezise
President
WineAmerica
1026 16th Street, NW, Suite 300
Washington, DC 20036

Robert Koch
President, CEO
Wine Institute
425 Market St., Suite 100
San Francisco, California 94105

Re: Docket Number FDA-2020-P-1523

Dear Mr. Trezise and Mr. Koch:

This letter is in response to your citizen petition (FDA-2020-P-1523) received on June 8, 2020, in which you requested that the Food and Drug Administration (FDA, or we) amend 21 CFR101.9(c)(6). Specifically, you requested that FDA add the text shown in bold font below to paragraph 21 CFR101.9(c)(6).

“Carbohydrate, total” or “Total carbohydrate”: A statement of the number of grams of total carbohydrate in a serving expressed to the nearest gram, except that if a serving contains less than 1 gram, the statement “Contains less than 1 gram” or “less than 1 gram” may be used as an alternative, or if the serving contains less than 0.5 gram, the content may be expressed as zero. **Except as authorized below, total carbohydrate content shall be calculated by subtraction of the sum of the crude protein, total fat, moisture, and ash from the total weight of the food. This calculation method is described in A. L. Merrill and B. K. Watt, “Energy Value of Foods—Basis and Derivation,” USDA Handbook 74 (slightly revised 1973) pp. 2 and 3, which is incorporated by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51 (the availability of this incorporation by reference is given in paragraph (c)(1)(i)(A) of this section). Total carbohydrate content for wine may be calculated by use of the quantitation and summation of sugars method.**

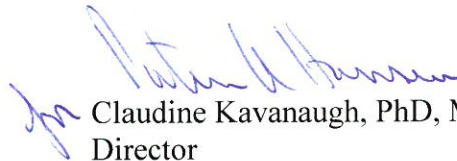
U.S. Food and Drug Administration
Center for Food Safety & Applied Nutrition
5001 Campus Drive
College Park, MD 20740
www.fda.gov

Page 2 – Mr. Trezise and Mr. Koch

In accordance with Title 21 of the *Code of Federal Regulations*, section 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.

Please let us know if you have any questions.

Sincerely,



Claudine Kavanaugh, PhD, MPH, RD
Director
Office of Nutrition
and Food Labeling
Center for Food Safety
and Applied Nutrition