



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Public Health Service

Food and Drug Administration
College Park, MD 20740

AUG 12 2015

Joseph Funt
Managing Director, Global Shea Alliance
c/o Torrey Cope
Sidley Austin LLP
1501 K Street NW
Washington, DC 20005

7 8 2 2 1 5 OCT -5 A 6 30

Re: Docket No. 2013-P-1614

Dear Mr. Funt:

This letter is in response to your petition (2013-P-1614), filed on November 5, 2013, requesting that the Food and Drug Administration amend the standards of identity for chocolate (21 CFR §§ 163.123, 163.124, and 163.130) to provide for the optional use of shea-based ingredients as alternatives to cacao fat.

In accordance with 21 CFR 10.30(e)(2), this letter is to advise you that we were not able to reach a decision on your petition within the first 180 days of its receipt, nor as of the date of this letter, because of other agency competing priorities. We will complete our review of your petition and consider any amendments to our regulations as warranted and in the context of other program priorities within the Center.

Should you have additional questions, do not hesitate to contact us.

Sincerely yours,

Patricia A. Hansen, Ph.D.
Acting Director
Office of Nutrition, Labeling
and Dietary Supplements
Center for Food Safety
and Applied Nutrition

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cc:

HFA-305 (Docket # FDA-2013-P-1614)

HFS-1 (Mayne)

HFS-2 (Wagner)

HFS-4 (Chao)

HFS-800

HFS-820 (D'lima)

R/D:HFS-820:CD'lima:4/21/15

F/T:HFS-820:

DOC will be saved on "p" drive via the pathway:

DFLSdata/PELT/Citizen Petitions/FDA-2013-P-1614-Shea Joseph Funt

DOC File: Citizen Petitions