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Subject: FDA comment on the May 9, 2005 OEHHA workshop

Dr. Joan Denton
Office of Environmental Health Hazard Assessment
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Dear Dr. Denton:

The U.S. Food and Drug Administration (FDA) is submitting the following comment for the May 9, 2005, OEHHA public workshop on potential regulatory action exempting from Proposition 65 exposures to listed chemicals that form from natural constituents in food during cooking or heat processing.

California is simultaneously considering regulatory actions to establish Proposition 65 warning language for acrylamide in food and to exempt naturally formed acrylamide from Proposition 65 requirements. FDA suggests that California resolve the issue of a potential exemption before the warning language proposals are finalized. Otherwise, the possibility exists that warning signs could appear in stores after finalization of the proposals, only to be removed a relatively short time later. FDA believes that warning language for acrylamide in foods could confuse consumers by creating unnecessary public alarm about the safety of the food supply and by diluting overall messages about healthy eating. Some confusion resulting from the appearance of warning signs in stores will likely persist even if such signs later are removed.

FDA will send a separate letter with comments for the May 24 meeting.

Thank you for consideration of our comments.

Sincerely,

Terry Troxell

Director, Office of Plant and Dairy Foods
CFSAN/FDA

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