



March 13, 2003

Mr. E. Linwood Tipton
President and Chief Operating Officer
International Dairy Foods Association
1250 H Street NW
Suite 900
Washington, D.C. 20005

Dear Mr. Tipton:

Thank you for your kind words about my participation in the Dairy Forum 2003. I enjoyed the opportunity to address the group and am pleased that your members were impressed with my presentation. Your letter also asks the Food and Drug Administration (FDA) to expedite making a decision on the National Cheese Institute's petition to permit the use of fluid filtered milk in standardized cheeses and related cheese products.

In June 2000, the National Cheese Institute, the Grocery Manufacturers of America, Inc., and the National Food Processors Association submitted a joint petition requesting that FDA provide for the use of fluid filtered milk in standardized cheese. In addition, the American Dairy Products Institute submitted a petition in December 1999 requesting that FDA provide for the use of fluid UF milk in standardized cheese. Taking action on these petitions was not included in CFSAN's Program Priorities for either FY 2000 or FY 2001 given other food safety priorities. Taking action on these petitions, however, was listed in CFSAN's FY 2002 priorities and, accordingly, CFSAN has been developing a proposed rule related to these petitions.

With respect to the request for a temporary marketing permit related to this issue, in August 2002, FDA received a request from a dairy processor for a temporary marketing permit to use UF milk in cottage cheese. However, the initial application did not provide all the necessary information, as required by 21 CFR 130.17. The company provided the missing pieces of information in January 2003 and the request is currently being reviewed by the agency.

Thank you for your interest in this issue. If I can be of further assistance, please let me know.

Sincerely,

Lester M. Crawford, D.V.M., Ph.D.
Deputy Commissioner