



UNITED STATES DEPARTMENT OF COMMERCE
International Trade Administration

Washington, D.C. 20230

ASSISTANT SECRETARY FOR MARKET ACCESS
AND COMPLIANCE

Director-General Robert J. Coleman
Health and Consumer Protection
Directorate General
European Commission
Brussels, Belgium

JUL 15 2003

Dear Mr. Coleman:

I am writing to express our concerns about the EU's draft proposal on the Regulation of Nutrition and Health Claims Made on Foods.

We commend the European Commission's decision and efforts to harmonize the rules on the regulation of health and nutrition claims on food labeling. We believe that this harmonized framework must also be efficient, transparent and predictable. Commissioner Byrne stated in his February 2003 speech to the European Parliament that "[he] favors the approach of science-based validation of food claims to ensure that every claim is properly justified".

We understand that this proposal is scheduled for discussion in inter-service consultations on July 16, and we hope that any restrictions or prohibitions on claims regarding general benefits of nutrients and food will be based on sound science and risk assessment. Restricting or banning informative and scientifically substantiated claims will prevent industry from giving consumers full information on their products. It also may stifle incentives for food manufacturers to improve the nutritional profiles of their foods.

In particular, we urge you to review the Food and Drug Administration staff's recent recommendations on improving Consumer Health Information for Better Nutrition, which advocate various reforms to food labeling policies in the United States.

As both the United States and the EU study and work toward reforming policies on food labeling and nutrition claims, further international discussion of these topics could better ensure mutual understanding and a positive contribution to consumer protection. We welcome the opportunity to discuss our concerns with you.

Sincerely,

William H. Lash, III

Assistant Secretary for Market Access and
Compliance

cc Jean-Paul Mingasson, Director-General for Enterprise and Information Society
Peter Carl, Director-General for Trade

