

Materials Underlying Impact Analysis for “Frozen Cherry Pie; Proposed Revocation of a Standard of Identity and a Standard of Quality”

Date: December 17, 2020

Subject: Analysis of Product Sales Data for the Preliminary Regulatory Impact Analysis for “Frozen Cherry Pie; Proposed Revocation of a Standard of Identity and a Standard of Quality”

During the process of preparing the regulatory impact analysis section of the proposed rule to revoke the standards of identity and standard of quality for frozen cherry pies, (Docket No. FDA-2020-N-1690) we analyzed supermarket scanner data to determine the number of manufacturers in the U.S. of frozen cherry pie products sold in the year 2018.

Our review of supermarket scanner data for the year 2018 shows that a total of 40 distinct frozen cherry pie products sold that year were manufactured by 20 firms.

Supermarket scanner data capture the actual sales of individual food and dietary supplement products by supermarkets, drug stores, mass merchandisers and convenience stores in the U.S.

These data are accessed by FDA via a contract with an independent, third-party contractor. Because these data are proprietary, they have not been posted publicly.