

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF IOWA  
WESTERN DIVISION

FARM-TO-CONSUMER LEGAL	)	
DEFENSE FUND, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. CV-10-4018-MWB
	)	
KATHLEEN SEBELIUS, Secretary,	)	
United States Department of Health	)	
and Human Services, et al.,	)	
	)	
Defendants.	)	

**DEFENDANTS' STATUS REPORT OF DECEMBER 16, 2010**

Pursuant to the Court's Order of September 17, 2010, (Dkt. No. 29) (the "Order") defendants hereby submit their Status Report. FDA continues to compile the administrative record that forms the basis for promulgation of 21 C.F.R. § 1240.61. Since defendants filed their Status Report of November 18, 2010, FDA has dedicated an additional 50 staff hours to identifying, collecting, and assembling the documents that comprise the administrative record. In addition, FDA staff have begun the process of organizing and reviewing the documents in order to provide an initial administrative determination on the question referred to FDA by the Court in the Order. FDA remains on schedule to furnish the determination in accordance with the time frame set forth in the Order.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that I electronically served a copy of the foregoing document to which this certificate is attached to the parties or attorneys of record, shown below, on December 16, 2010.

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BY: s/ Roger Gural

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