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LETTER OF COMMENT NO. 94

January 8, 2007

Mr. Robert H. Herz
Chairman, Financial Accounting Standards Board
401 Merritt 7
P.O. Box 5116
Norwalk, CT 06856-5116

Dear Chairman Herz:

On behalf of the H. J. Heinz Company, I strongly urge the Financial Accounting Standards Board to delay the effective date of FIN 48 on *Accounting for Uncertainty in Income Taxes* to allow companies and their attest firms sufficient time to address the substantive, procedural, and documentation challenges posed by the new interpretation.

The disparity which is now evident between certain statements made by rule makers and regulators to the effect that application of FIN 48 should not be that difficult and what is actually happening in practice makes it clear, to me at least, that rapid implementation of FIN 48 would be a disservice to investors. There is substantial anecdotal evidence to the effect that the attest firms don't quite know what to make of this and that the state of the practice is unsettled. In today's environment, the natural result of a momentous change to decades-old practices combined with a long list of unanswered implementation questions will push the process in the direction of requiring massive documentation and analysis at a very detailed level. When one considers that a typical multi-national may have hundreds of open income tax returns and that FIN 48 requires analysis of timing differences, the scope of the task is overwhelming.

It is my belief that there are no more difficult processes in financial accounting and reporting than those related to accounting for income taxes. I also believe that all but a tiny handful of the people who do tax accounting for a living are doing their very best, with limited resources, to ensure that the tax results for their enterprises are fairly presented. The time for debate about the merits of FIN 48 is behind us. However, it seems to me that the interests of users of financial statements would be better served by allowing companies and auditors enough time to digest the changes - by allowing time for discussion and consensus building around implementation and scope issues.

Specifically, I recommend that the effective date of FIN 48 be deferred to fiscal years beginning after December 15, 2007.

Respectfully,

John C. Crowe
Vice President - Chief Tax Officer
H. J. Heinz Company