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Dockets Management Staff (HFA-305)
Food and Drug Administration
5630 Fishers Lane, Rm. 1061
Rockville, MD 20852

RE: Docket No. FDA-2023-D-1027, Questions and Answers About Dietary Guidance Statements in Food Labeling: Draft Guidance for Industry; Availability; Agency Information Collection Activities; Proposed Collection; Comment Request

To Whom it May Concern,

The Institute of Food Technologists (IFT) is thankful for the opportunity to provide comments on “Questions and Answers About Dietary Guidance Statements in Food Labeling: Draft Guidance for Industry.” IFT is a global organization of approximately 12,000 members who are committed to advancing the science of food. We believe science is essential to ensure the global food system is equitable, sustainable, safe, and nutritious.

IFT commends the FDA on their efforts to modernize and update food labeling guidance and regulations to better align with current nutrition science and Federal dietary guidelines. We agree these efforts have the potential to guide consumers toward food choices aligned with healthy dietary patterns, provided they are easy to understand and avoid confusion. Additionally, as science of food experts, we understand that the proposed guidance can help guide reformulation of foods to provide a diversity of healthy choices in the marketplace. With these principles in mind, we provide the following feedback on the proposed guidance.

Dietary guidance statements can help consumers understand how foods fit into a healthy dietary pattern.

We agree with the FDA that Dietary Guidance statements are a useful tool to provide consumers with information about how certain foods may contribute to a nutritious dietary pattern. As mentioned in our previous comments on the definition of the term “healthy,” we noted that additional on-pack communications such as these are beneficial in helping

consumers understand how “healthy” foods may fit into a nutritious dietary pattern. We further suggest that with the additional context, Dietary Guidance Statements may be more beneficial in helping consumers than the use of the word “healthy.”

Alignment and testing of multiple food labeling initiatives is critical to determine impact on consumer understanding.

In addition to this draft guidance on Dietary Guidance Statements, there are several other food labeling initiatives underway at FDA, including an update to the healthy definition, a healthy icon, and front-of-package labels. The convergence of these labeling initiatives will result in multiple, major changes to food packaging that could cause confusion among consumers as to the meaning of each part of the label. While some of these proposed label changes, such as front-of-package, are being tested with consumers, it is being conducted in isolation of the other proposed changes to the label that may influence consumer understanding and choice. Therefore, we suggest that FDA consider inclusion of these multiple initiatives in consumer testing to better understand the interaction of these labels on consumer understanding and choice. For example, how might a consumer respond to a dietary guidance statement of “Eat yogurt as part of a nutritious dietary pattern” if the yogurt also includes a front-of-pack label stating “high in added sugar” or includes the color red for added sugar content.

Ensure that Dietary Guidance Statements are inclusive of new technologies and innovations

As in the healthy definition, we note that some food category groupings are not inclusive of plant-based alternatives. For example, plant-based dairy alternatives are discussed, but not plant-based meat alternatives (other than soy). We encourage FDA to consider if the proposed guidance is broad enough to encompass innovative food ingredients (e.g., protein from fungi) and alternative food forms. We also ask the FDA to consider the appropriate comparisons for non-plant-based and plant-based foods and beverages to ensure that uniform standards are applied across food forms. For example, plant-based dairy alternatives, including yogurts, must meet the standard for fluid milk to be considered for dietary guidance statements, while non-plant dairy foods are not required to meet fluid milk criteria.

Dietary Guidance Statements on beverages should avoid consumer confusion.

The Dietary Guidelines for Americans recommends that the primary beverages consumed should be “calorie-free – especially water – or that contribute beneficial nutrients...” Therefore, we suggest it would be appropriate to include a dietary guidance statement on calorie-free beverages, including plain water, carbonated water, coffee, tea, flavored waters, and diet sodas. The presence of flavors, colors, and/or no-calorie sweeteners should not prohibit the use of dietary guidance statements as this could imply to consumers that these ingredients cannot be part of a nutritious dietary pattern – an implication that is not confirmed or discussed in the Dietary Guidelines for Americans nor supported by the current scientific evidence.

Dietary Guidance Statements should be flexible to the inclusion of refined grains that are staples of cultural cuisines, provided the refined grains are enriched as recommended by the Dietary Guidelines for Americans.

We agree that the dietary guidance statements should encourage the consumption of whole grains, and since the recommendation is at least half of grain intake as whole grains, it would be appropriate to include dietary guidance statements on refined grains that are cultural staples, provided that these refined grains are enriched, as recommended by the Dietary Guidelines for Americans. Enrichment of grains improves intake of several nutrients, including iron and folate, critical for women of childbearing age. We also suggest that FDA define and provide examples of cultural staples to assist manufacturers in identifying these foods.

Establish a cadence for updating this guidance.

We recommend that the FDA initiate a plan for regular updates to this guidance based on the DGA recommendations, prevailing scientific evidence, and consensus.

IFT appreciates the opportunity to provide comments on this draft guidance for dietary guidance statements. We thank you for considering our comments. Please contact Anna Rosales, Senior Director Government Affairs and Nutrition (arosales@ift.org) if IFT may be of further assistance.

Sincerely,

Anna Rosales, RD
Senior Director, Nutrition and Government Affairs
Institute of Food Technologists