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RE: Docket No. FDA-2023-N-0624 “Food Labeling in Online Grocery Shopping: Request for Information”

Submitted online at www.regulations.gov

Dear Food and Drug Administration,

The Institute of Food Technologists (IFT) is thankful for the opportunity to provide information related to food labeling in online grocery shopping. 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 help empower consumers with nutrition information to make healthy choices in the marketplace, particularly in the growing e-commerce environment. We agree that it is critical to ensure consumers can find and view label information, both in the physical and online environments, to help them identify healthy foods. The request for information contains several critical questions pertaining to retailers and consumers that will be important for understanding how to best enable accurate, accessible, and up-to-date food labels.

IFT wishes to address question 2.2 which asks about challenges and limitations that retailers, manufacturers, and third-party online grocery providers experience when providing food labeling information online. One challenge is how to provide accurate food label information during transitions in products due to reformulations. There is generally a lag time between reformulation of a food product and full integration into the market. This lag can be impacted by the shelf-life of products, stock rotation, and inventory management. Generally, when manufacturers make formulation changes, these changes are reflected in new packaging and the label information is updated on the manufacturer website. However, retailers may have significant inventory of the old formulation that is still within its shelf-life and is being sold in stores and online. As a result, the online label information may be more up-to-date than the product available in the store or warehouse. This issue could be addressed in multiple ways and below are some example best practices.

Example best practices:

- 1) provide both labels online alerting a consumer that either item may be available for purchase and noting significant or substantial changes, such as allergen changes or nutrition claims
- 2) implementing a compliance timeline which allows for the lag between changes in online label information and the incorporation of new formulations into inventory.

Another challenge is that online label information is available on multiple sites. While the manufacturer is likely to have the most up-to-date food labeling information, the consumer is also likely to interact with label information provided by the retailer or third-party grocery provider.

A final challenge is identifying the responsible parties and timelines for updating and communicating changes to the food label. Due to the multiple parties involved from the manufacturer to retailer to third-party grocery provider, a quality assurance and traceability process is needed across this part of the supply chain. Manufacturers should be required to make available to downstream partners the accurate information in a timely manner and online retailers and third-party grocery organizations should be expected to communicate with manufacturers and update labels within a reasonable timeframe. As a best practice, IFT recommends that,

- a) manufacturers have in place a documented process that describes how/when product information will be communicated to downstream partners, and
- b) online retailers and third-party grocery organizations have in place a documented process that describes how/when product information will be obtained, updated, and made available to consumers.

While the goal is that all online information matches the product sold, educating consumers to continuously read the physical label on the product received is essential.

IFT appreciates the opportunity to provide this information on food labeling in online grocery shopping. 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
Senior Director Nutrition and Government Affairs
Institute of Food Technologists