



January 22, 2024

*Submitted electronically via regulations.gov*

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

**Re: FDA Virtual Public Meeting and Listening Sessions on Strategies to Reduce Added Sugars Consumption in the United States**

Dear Sir or Madam:

Thank you for the opportunity to provide comments on the Food and Drug Administration's (FDA) Virtual Public Meeting and Listening Sessions on Strategies to Reduce Added Sugars Consumption in the United States. As the food industry association, FMI works with and on behalf of the entire industry to advance a safer, healthier, and more efficient consumer food supply chain. FMI brings together a wide range of members across the value chain — from retailers that sell to consumers, to producers that supply food and other products, as well as the wide variety of companies providing critical services — to amplify the collective work of the industry. More information about our organization is available at [www.FMI.org](http://www.FMI.org).

The *National Strategy on Hunger, Nutrition, and Health*<sup>1</sup> notes that the intake of added sugars for most Americans is higher than what is recommended by the *Dietary Guidelines for Americans*<sup>2</sup> and calls for FDA to host, in collaboration with other federal partners, a public meeting on this issue. FMI and our members share the important goals of reducing added sugar consumption to prevent diet-related chronic diseases and continue to prioritize nutrition activities and empower consumers with nutrition information to make healthier choices. We were pleased to participate in the public meeting and appreciate the Agency's continued work to understand and engage with private industry and other stakeholders on this important issue.

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<sup>1</sup> The White House, *Biden-Harris Administration National Strategy on Hunger, Nutrition, and Health* (Sept. 2022), retrieved from <https://www.whitehouse.gov/wp-content/uploads/2022/09/White-House-National-Strategy-on-Hunger-Nutrition-and-Health-FINAL.pdf>.

<sup>2</sup> U.S. Department of Health and Human Services, *Dietary Guidelines for Americans 2020-2025*, 9th edition (Dec. 2020), retrieved from [https://www.dietaryguidelines.gov/sites/default/files/2021-03/Dietary\\_Guidelines\\_for\\_Americans-2020-2025.pdf](https://www.dietaryguidelines.gov/sites/default/files/2021-03/Dietary_Guidelines_for_Americans-2020-2025.pdf).

We discuss a number of topics related to strategies to reduce added sugars consumption in the U.S. below, addressing certain key topics set forth by the Agency as well as some general principles we think the agency should consider moving forward.

### **General Principles to Consider**

FMI would first like to discuss some general points that are of interest to a wide variety of sectors within the food and beverage supply chain. First, we think it is important that FDA identify clear and measurable public health outcomes to be achieved before proceeding with actions designed to further reduce added sugars in the food supply. Thus far, the Agency has not yet set clear and measurable goals that industry can look to when working to identify ways in which to continue to empower consumers with helpful information and a variety of food choices.

Second, as we have noted in some of our past comments, a healthy dietary pattern cannot be reduced to over-consumption of a single nutrient. Rather, although it is important that consumers understand the potential to over consume certain nutrients, the *Dietary Guidelines for Americans* (DGAs) also demonstrate significant shortfalls, such as low intake of whole grains, fruits, and vegetables. The DGAs further state that “added sugars can help with preservation; contribute to functional attributes . . . and/or help improve the palatability of some nutrient-dense foods.” As an example, high fiber and whole grain products often utilize small amounts of added sugar to improve palatability. Additionally, ensuring the continued ability to innovate and provide consumer choice while contributing to added sugar reduction is important to meeting individual consumer dietary needs.<sup>3</sup> As such, we ask that the Agency continue to take a wholistic approach to ensure that potential future actions related to added sugars do not negatively impact other aspects of a healthy dietary pattern or important innovation that can positively contribute to it.

Finally, we continue to urge FDA to focus on adequate consumer education tailored to meet clearly defined public health goals. In particular, if FDA decides that the measurable public health goal here includes meeting recommended added sugar intake levels, then consumer education campaigns should likely focus on making lower sugar choices.<sup>4</sup> We also think it remains important for FDA to ensure that consumers understand the existing Nutrition Facts Label and how they can utilize it to get information about the foods they are purchasing, such as added sugars levels.<sup>5</sup>

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<sup>3</sup> Low/no calorie sweeteners or novel fibers are examples of ingredients that can provide additional opportunities for product innovation and consumer choice.

<sup>4</sup> This might include a focus on nutrient-dense choices for foods with moderate amounts of added sugar and on options with lower added sugar levels, etc.

<sup>5</sup> FDA should also consider existing educational opportunities, such as USDA’s MyPlate program. FMI remains a MyPlate National Strategic Partner and believes the program can serve as a helpful consumer tool for promoting wholistic and balanced daily nutrition.

## **The food industry provides choice and variety to help consumers reduce added sugars intake**

In its *Listening Session Topic Purpose and Discussion Questions* document, FDA asked participants to consider specific topics and questions related to added sugars reduction. Included was a question regarding specific actions the food industry could take to achieve added sugars reduction in the foods they provide. In this regard, FMI members and the food industry more broadly have long been taking actions to help consumers reduce added sugars. In fact, for the past decade there has been an industry-wide uptick in efforts to develop products with no or reduced added sugar to provide variety and choice for consumers. Reformulation and innovation are ongoing with many examples of great success with great tasting products that are significantly lower in added sugar, and quite often, registered dietitian nutritionists (RDNs) are involved in all steps of product development, innovation, and reformulation.

FMI members are committed to providing variety and choice for consumers across diverse portfolios of products that offer a wide range of sugar content to meet consumer preferences. Many of those products contain no added sugars or small amounts of added sugar, and some use non-nutritive sweeteners, while others are simply packaged in smaller portions. FMI members have noted success with slow, gradual reduction of added sugars, which most often results in better consumer acceptance, particularly when paired with education strategies to include and enjoy smaller portions while maintaining an overall healthy pattern of eating.

## **Education opportunities for the public and private sectors to work together to achieve added sugars reduction**

The Agency also asked for feedback on opportunities for the public and private sectors to work together to achieve this goal. As always, we want to emphasize the importance of educational outreach to help consumers use and understand the tools already at their disposal, such as the *Dietary Guidelines for Americans*<sup>6</sup> and the updated Nutrition Facts Label, which includes added sugars. As we noted earlier, the food industry dietitians already help educate consumers on how to include nutrient-dense choices along with moderate amounts of foods and beverages that include added sugars as part of a balanced, positive approach to healthy eating. The consideration of added sugars is a component of a healthy diet, and we certainly think FDA and the food industry can work together to educate consumers on use of the Nutrition Facts Label and how products fit in their diet holistically.

FDA is also conducting a quantitative study on Front of Package (FOP) labeling schemes, all of which include added sugars prominently as a key nutrient. If the Agency should choose to move forward with any of these schemes, consumer education would be paramount to minimizing confusion and ensuring that consumers are provided with useful information. FMI is

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<sup>6</sup> As noted above, FMI believes USDA's MyPlate program can serve as a valuable consumer tool for promoting holistic and balanced daily nutrition.

a co-founder of the Facts Up Front (FUF) program, a widely adopted FOP labeling tool that allows consumers to easily understand and use key product information (including added sugars) directly from the Nutrition Facts Label to make informed food choices. We continue to believe that FUF is the best situated scheme to provide consumers with information they need to make more informed choices, as it highlights important quantitative information regarding calories, saturated fat, sodium, and added sugars.<sup>7</sup> We hope that the Agency will continue to work closely with industry as it considers how FOP labeling, and FUF, might help reach its goals including added sugars reduction.

### **The food industry has successful education strategies and initiatives in place to help consumers reduce consumption of added sugars**

FDA also asked participants to consider innovative strategies that the food industry is using to help reduce consumption of added sugars. As noted above, FMI members remain committed to providing variety and choice for consumers across diverse portfolios, including offerings that contain no added sugars or small amounts of added sugar, those that use non-nutritive sweeteners, and options that are simply packaged in smaller portions. Along with variety in product offerings, we want to highlight some additional strategies below. For example, our members have employed a variety of educational materials via numerous mediums to reach as broad a customer audience as possible. Retailers use in-store signage, shelf tags and brand specific labeling to help consumers identify choices relevant to their own personal needs and health goals to include low carb and low added sugar. Both retailer and product supplier websites and apps now have content specific to reducing added sugars, new product information, and specific filters for sugar-specific tags like “low” or “no added sugar.” Many retailers and product suppliers have links to informative posts and videos on their websites and social media channels for easy access to quick tips and suggestions on health topics such as added sugar reduction, label reading, recipe ideas and lifestyle guidance.

FMI and our members are strong supporters of increased family meals through the Family Meals Movement, an initiative that aims to encourage families to eat one more meal a week together at home. Increased family meals are associated with greater intake of fruits and vegetables, and adults and children who eat at home more regularly are less likely to suffer from obesity.<sup>8</sup> Innovative strategies like the FMI Foundation’s Family Meals Movement and FMI’s partnership with USDA’s MyPlate contribute to the food industry’s broader focus on encouraging an overall healthy eating pattern.

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<sup>7</sup> FUF implementers may also display additional icons for dietary fiber, protein, vitamin D, calcium, iron, potassium, vitamin A, and vitamin C, which may be very important to individual consumer needs.

<sup>8</sup> See H.J. Lee, et al., *Do family meals affect childhood overweight or obesity?: nationwide survey 2008-2012*, U.S. Department of Health and Human Services, National Institutes of Health (Jun. 10, 2015), available at <https://pubmed.ncbi.nlm.nih.gov/26061428/> and Jerica M. Berge, PhD, et al., *The Protective Role of Family Meals for Youth Obesity: 10-year Longitudinal Associations*, U.S. Department of Health and Human Services, National Institutes of Health (Sep.27 2014), available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4308550/>.

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We greatly appreciate the opportunity to comment on the important topic of added sugars reduction and are happy to discuss the above in greater detail should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Krystal Register". The signature is fluid and cursive, with the first name "Krystal" written in a larger, more prominent script than the last name "Register".

Krystal Register, MS, RDN, LDN  
Senior Director, Health & Well-being

A handwritten signature in black ink, appearing to read "Erin McCarthy". The signature is fluid and cursive, with the first name "Erin" written in a larger, more prominent script than the last name "McCarthy".

Erin McCarthy  
Manager, Government Relations & Regulatory Affairs