

## **NCL's 2022 Priorities for Food and Nutrition Policy**

In many ways, the U.S. and other parts of the world are witnessing a food revolution. Innovations in technology are yielding novel foods and beverages, reformulated foods with healthier nutrition profiles, more sustainable production methods, and the digitization of the food system.

With these developments shaping food policy, the National Consumers League (NCL) will ensure that the consumer's voice is heard in championing solutions to advance better food and beverage choices, improve food safety and achieve a more sustainable food system. For 2022, our top priorities are to:

### **1. Strengthen the Food Safety System**

In 2020, the Food and Drug Administration (FDA) announced its *New Era of Smarter Food Safety Blueprint* with achievable goals to enhance traceability, reduce contamination of food, respond more rapidly to outbreaks of foodborne illness, and related matters. Of key concern to NCL is finalizing FDA's Food Traceability Proposed Rule, a key component of the Food Safety Modernization Act (FSMA), so consumers can rely on a standardized approach to traceability recordkeeping that enables rapid traceback to the source of the contaminated food. Additionally, NCL will work individually and as a member of the Safe Food Coalition to press the U.S. Department of Agriculture (USDA) to modernize poultry safety rules and update food safety rules linked to advances in the marketplace. This includes expanding pathogen testing in meat and poultry products and updating the safe handling instructions label for these products.

### **2. Ensure the Safety and Availability of Infant Formula**

The critical shortage of infant formula in the U.S. and the suffering it caused parents across the country represent a call-to-action for implementing a national strategy to ensure there will be an ample supply of safe infant formula products moving forward. Critical to this effort is aggressive regulatory oversight of the safety protocols at U.S. manufacturing facilities, sourcing of infant formula from countries that are already approved to import the product, policies that increase the number of companies manufacturing infant formula, and changes in the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) program that allow for more flexibility in the range of infant formula products available through WIC.

### **3. Make Alcohol Facts Labeling Mandatory**

Since 2003, NCL and the Center for Science in the Public Interest have taken the lead in pressing the federal agency that regulates most alcoholic beverages – the Treasury Department's Bureau of Alcohol and Tobacco Tax and Trade Bureau (TTB) – to issue rules mandating an easy-to-read, standardized "Alcohol Facts" label on all beer, wine and distilled spirits products. This labeling now appears on hard ciders, wine coolers, other wines containing less than 7 percent alcohol by volume and beers not made from malted barley or hop because FDA regulates these products. Yet, TTB has opted for voluntary labeling and the result is that many alcoholic beverages remain unlabeled or carry incomplete information. Having the facts about what is in alcoholic beverages is important to the health of Americans, which is why NCL, CSPI and the public health community are stepping up the fight to make mandatory alcohol labeling a reality.

#### **4. Reduce Excess Sodium in the Diet**

NCL is concerned that Americans on average consume 50 percent more sodium per day than is recommended in the Dietary Guidelines. Because excess sodium increases the risk for hypertension, heart disease, heart attacks, and stroke, we will continue to raise awareness of the goal set by FDA to lower sodium intake to 2,300 milligrams (mg) per day – from around 3,400 mg now – and encourage consumers to flavor foods with herbs and spices instead of salt and use the Nutrition Facts label to choose products with less sodium, reduced sodium or no sodium added.

#### **5. Require Labeling of Caffeine Content**

In 2021, NCL flagged concerns that consumers do not have enough information to know how much caffeine is in the food and beverages they consume. This is necessary because FDA considers 400 mg of caffeine per day as the amount not generally associated with dangerous side effects. Yet, staying at this level can be a challenge. For example, a cola drink contains around 35 mg of caffeine while an 8-ounce cup of coffee has 95 mg and high caffeine drinks may have 160 mg in a 16-ounce serving. The problem is that FDA only requires food labels to disclose whether there is added caffeine in the food or beverage, not the total amount. This is why [NCL strongly believes](#) that all products containing caffeine should be required to list the amount of caffeine per serving and per container.

#### **6. Ensure Transparency in the Labeling of Plant-Based Meat Alternatives**

In June 2022, NCL released a new report, [Education and Transparency in Labeling Plant-Based Meat Alternatives: A Consumer-Focused Agenda to Improve Understanding and Decision-Making of Plant-Based Meats](#), which underscores the importance of consumer-focused labeling to sustain the growth of the plant-based meats category, which has been fueled by consumer optimism. The report lays out seven priorities for regulatory action, including the requirement that labels on PBMA are standardized and clarify the protein source and that nutrition/health claims for these products undergo FDA review and are supported by available scientific evidence.

#### **7. Improve the Labeling of Alternative Sweeteners**

NCL applauds FDA's decision to include "Added Sugars" on the recently updated Nutrition Facts Label but we remain concerned about how novel sweeteners are labeled. Therefore, [NCL is supporting a Citizen's Petition](#) to FDA to ensure transparent labeling of substitute sweeteners and has joined with other groups in urging FDA to stop misleading claims, such as "No Added Sugars," "Zero Sugar," and "Reduced Sugars." These claims imply the new product is healthier than the original without disclosing that the sugar reduction resulted from reformulating with artificial substances and sugar alcohols.

#### **8. Modernize Food Standards of Identity**

Food standards of identity (SOI) are recipes for what a food product must contain, how it must be proportioned, and sometimes how it must be manufactured. However, many SOIs are now 75 and even 80 years old and no longer reflect changes in manufacturing, food technology, market trends and nutritional science. Therefore, NCL supports FDA's Nutrition Innovation Strategy launched in 2018 to modernize food standards of identity and implement regulations and industry guidance to produce more healthful foods. However, NCL urges FDA to focus on several food products where updating SOIs will lead to healthier offerings, such as olive oil, Greek yogurt, and canned tuna.

## **9. Improve Federal Nutrition Education and Food Labeling Policies by Elevating the Role of Portion Control and Balanced Food Choices, Revising the Definition of “Healthy,” and Developing Uniform Front of Pack Nutrition Rating Symbols**

NCL will advance the Dietary Guidelines’ recommendations to achieve a healthy balance of food choices by emphasizing the importance of portion control and educating consumers that the recommended daily intake of calories for an adult is 2,000 per day. We will also work individually and in coalitions to encourage greater use of [“My Plate,”](#) a plan developed by USDA to help consumers personalize their portions for various food groups – what and how much to eat, based on one’s age, sex, height, weight, and physical activity level.<sup>1</sup>

At the same time, NCL will work with FDA to further the agency’s efforts to define the term “healthy” on food labels. Currently [a food can be labeled “healthy”](#) if the amount customarily consumed is low in fat, low in saturated fat, contains less than 480 mg of sodium, has a limited amount of cholesterol, a significant amount of fiber and at least 2 additional beneficial nutrients such as vitamins A, C, D, calcium, iron, protein or potassium. NCL supports FDA’s efforts to update these criteria and will also press the agency to address if and how added sugar content is calculated. Further we will continue to encourage FDA to adopt a “Traffic Light” labeling system to depict “healthy” foods on the front of the package.

## **10. Increase Funding and Access to Federal Nutrition Programs**

NCL’s advocacy to enhance the Supplemental Nutrition Assistant Program (SNAP) during the COVID-19 pandemic helped to increase access to healthy food to people in need. Now, further steps must be taken to broaden the public health impact of SNAP on the American diet. Therefore, we will continue to work with partners to advocate for reducing the eligibility requirements, strengthening the nutritional goal for SNAP and providing incentives for healthier foods sold in retail establishments.

## **11. Reduce the Amount of Food Waste**

Because about 90 billion pounds of food goes uneaten every year in the US, NCL is working to help the nation meet the goal of reducing food waste by 50 percent by 2030. As such, we will continue working with USDA, FDA and the Environmental Protection Agency (EPA) to raise awareness of food loss and waste and inform consumers of how they can reduce food waste in their homes.

Meeting the many challenges affecting the production, marketing and consumption of foods and beverages requires putting consumers at the center of public policy. Therefore, NCL will continue to advocate for policy solutions to ensure transparent food labeling, improve the safety and quality of the foods people eat, reduce food insecurity, address food waste and advocate for a more sustainable food system.

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<sup>1</sup> The National Confectioners Association [“Always a Treat”](#) program is one example of how portion control can be easily utilized to control calorie consumption and achieve the dietary patterns recommended in the Dietary Guidelines. As part of this initiative, leading chocolate and candy companies have pledged that half of their individually wrapped products will be available in sizes that contain 200 calories or less per pack. Participating companies have also committed to voluntarily put calorie information on the front panel of products comprising 90% of volume sales.