

September 3, 2024

Dear Dr. Booth, Dr. Odoms-Young and members of the Dietary Guidelines Advisory Committee:

The undersigned organizations appreciate the opportunity to provide input for consideration by the 2025 Dietary Guidelines Advisory Committee (Docket No. HHS-OASH-2022-0021-0001). Our groups participate in the Food and Beverage Issue Alliance (FBIA), a coalition of over 40 allied U.S.-based food and beverage trade associations representing various parts of the supply chain, from farmers and agricultural processors, to packaged goods and retail.

As stated below, we urge the DGAC to:

- 1) Make no recommendations related to food processing, and
- 2) To expand the transparency of the scientific reviews by sharing the scientific papers included and excluded from the review and the justification for such a decision.

Processed foods

Processed foods make important contributions to diet quality, nutrition adequacy and security, food safety and can help Americans achieve Dietary Guidelines for Americans (DGA) goals. The extent to which a food is processed does not in and of itself accurately portray the nutritional contributions that a food can make to the diet. According to an analysis of NHANES data by Weaver et al.,¹ processed foods contribute significantly to daily micronutrient intakes (55% dietary fiber, 48% calcium, 43% potassium, 34% vitamin D, 64% iron, 65% folate, 46% vitamin B-12).² Processed foods can also help Americans navigate personal dietary preferences and intolerances (e.g., gluten free, lactose free, plant-based) to meet DGA recommendations.

The impact of food processing on nutrient contribution and overall health has attracted considerable attention in recent years because of the emergence of the NOVA food classification system. As the Committee examines the impact of ultra-processed foods as defined by NOVA or other systems and the association with growth, body size, and risk of obesity, we urge the DGAC to fully consider the many important benefits of processing such as affordability, accessibility, food safety, improving nutrition, and reducing food waste. FDA, USDA-FSIS, and DOC regulations require many foods to be processed for food safety. To suggest that processed foods are unsafe to public health flies in the face of over 100 years of scientific evidence. Processing is not synonymous with poor nutrition content or the impact of a food on health. In fact, 2023 USDA study proved a weekly diet containing 91% calories from NOVA group 4 foods fit within 2020 DGA dietary patterns, met almost all macro- and

¹Weaver CM, Dwyer J, Fulgoni VL, et al. Processed foods: contributions to nutrition. *Am J Clin Nutr.* 2014;99(6):1525-1542. doi:10.3945/ajcn.114.089284.

²Weaver CM, Dwyer J, Fulgoni VL, et al. Processed foods: contributions to nutrition. *Am J Clin Nutr.* 2014;99(6):1525-1542. doi:10.3945/ajcn.114.089284.

micronutrient requirements, and scored an 86/100 in the Healthy Eating Index, which is considerably higher than the average US score of 59.³

Furthermore, many foods NOVA-classified as ultra-processed are rated very highly by other nutrient profiling models whereas many foods that are minimally processed or unprocessed are rated very poorly.⁴ It is clear that the NOVA food classification system is too broad and lacks the nuance needed to be helpful to consumers.⁵

Additionally, in FBIA member's previous comments, we asked that a food scientist with robust understanding of the science and engineering behind how food is formulated, manufactured, packaged, and stored be consulted as the DGAC reviews science around processed and ultra-processed foods to ensure that appropriate expertise is represented to address all the questions the DGAC is charged to address. Food scientists could help inform the Committee of any relevant and/or up-to-date information surrounding food processing, nutrition, food safety, and any other future protocols. The undersigned members of FBIA strongly suggest including at least two food science experts on the DGAC for the 2030-2035 Advisory Committee process. Since the science on ultra-processed foods (UPF) is far from settled, we ask that the DGAC's Scientific Report make no recommendations on topics that relate to food processing at this time.

Lack of Consensus-Based Definition for Ultra-processed Food

We do agree with the DGAC conclusion that there is currently no consensus in the nutrition community on the definition of ultra-processed food. The DGAC's scientific review, while guided by the NOVA 4 classification, acknowledged various definitions for UPF exist. The NOVA 4 classification definition nevertheless presents significant challenges for effectively interpreting the science as others have documented inconsistent identification of NOVA 4 ultra-processed foods. Defining UPF is a faulty endeavor because processing is necessary to provide safe and wholesome foods.

The NOVA classification can lead to bias and inconsistent grading of foods and beverages. This means even studies using NOVA cannot always be compared on a one-to-one basis, and findings should be interpreted with caution.

Impact on Federal Nutrition Programs

The DGAC pointed out foods that have undergone processing have a significant impact on ensuring safe, affordable, nutritious and convenient foods are available to the American public. This is particularly important for those Americans who rely on federal nutrition programs,

³ Hess JM, Comeau ME, Casperson S, et al. Dietary Guidelines Meet NOVA: Developing a Menu for A Healthy Dietary Pattern Using Ultra-Processed Foods. *The Journal of Nutrition*. Volume 153, Issue 8, 2023, Pages 2472-2481. <https://doi.org/10.1016/j.tjn.2023.06.028>

⁴ Trumbo PR, Bleiweiss-Sande R, Campbell JK, Decker E, Drewnowski A, Erdman JW, Ferruzzi MG, Forde CG, Gibney MJ, Hess JM, Klurfeld DM, Latulippe ME, O'Connor LE, Reimers KJ, Rolls BJ, Schulz J, Weaver C, Yu L. Toward a science-based classification of processed foods to support meaningful research and effective health policies. *Front Nutr*. 2024 Jul 3;11:1389601. doi: 10.3389/fnut.2024.1389601. PMID: 39055388; PMCID: PMC11271201.

⁵ Braesco, V. et al. Ultra-processed foods: How functional is the NOVA system?. *Eur. J. Clin. Nutr.* 76, 1245–1253 (2022).

including SNAP (Supplemental Nutrition Assistance Program), National School Lunch and School Breakfast Programs and the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Program and ensuring that they have equitable access to nutritious foods. The accessibility of nutritious products becomes even more critical when we consider the chronic food insecurity experienced by low-income individuals and families, especially families of color who are more likely to be food insecure and also have higher incidence of diet-related health conditions, such as type 2 diabetes.

Many of the products included in these programs are supported by current science as being beneficial for health - such as whole grain breads, fortified ready-to-eat breakfast cereals, dried soups, flavored yogurts- and yet, these foods are also categorized as ultra-processed food under many classification systems. Eliminating ultra-processed food broadly in the aforementioned programs could thus have a negative impact on Americans being served by these federal nutrition programs. For example, any recommendations to limit ultra-processed food consumption may lead to restrictions on school meal purchasing, making it challenging for schools to procure food within their budget that still meets nutrition criteria. Any recommendation to eliminate such foods could have a significant impact on these programs and especially school meal purchasing, menu planning and food costs.

We urge the DGAC to carefully consider the current science available and not make any recommendations that expand beyond the body of scientific evidence. This will be particularly critical when considering the potential unintended consequences of removing or limiting ultra-processed foods for federally funded nutrition programs, low-income consumers, and availability and consumption of nutrient dense processed foods.

Scientific Review and Transparency

While we appreciate the acknowledgement and commitment of the federal departments (HHS and USDA) and the DGAC to transparency throughout the entire process of developing the DGAs, we believe process improvements are necessary to achieve this goal and further enhance transparency. The need for transparency was also reiterated by NASEM in their recommendations on the DGA process. We encourage HHS and USDA to continue to improve transparency through the 2025-2030 DGA process, by sharing the specific studies that have been included or excluded from consideration prior to the publication of the DGAC report and the justification for each. Failing to share these studies could disregard the Federal Advisory Committee Act, 5 U.S.C. App. Section 10(b) which requires that "...working papers, drafts, studies agenda and other documents which were made available to or prepared for or by each advisory committee shall be available for public inspection..."

Protocols and Systematic Analysis

In listening to committee discussions and reviewing the draft scientific conclusions, we do have some concerns regarding the process of using the defined protocols for review of the scientific evidence and development of science-based draft consensus statements.

As the protocols were identified originally, inclusion and exclusion criteria were set, but in some cases these protocols were changed after the published literature was collected. An example is the protocol regarding dietary patterns and cardiovascular disease. After the studies were collected, the subcommittee identified a large number of studies and then decided to limit the

studies reviewed to only those conducted in the US. Based on the review presented at the May public meeting, this updated protocol resulted in a much more limited group of 104 research papers. Further restriction was then added, based on the percentage of study participants that were non-Hispanic Caucasians. This resulted in just 20 research papers undergoing review, which were then used as the basis for the draft conclusion statement, which was scored as “strong.” Because information is unavailable on which studies were included or excluded, it is impossible to know whether the limitations placed on the scientific papers would have changed the scientific conclusions reached. It is also unclear whether the 20 studies that appear to be the basis for the draft scientific conclusion statement justify the scientific evidence rating of “strong.”

Thank you for your consideration of these comments.

Sincerely,

American Bakers Association
American Beverage Association
American Frozen Food Institute
American Peanut Shellers Association
Association for Dressings and Sauces
Can Manufacturers Institute
Corn Refiners Association
Flavor and Extract Manufacturers Association
FMI – The Food Industry Association
Independent Bakers Association
International Dairy Foods Association
Juice Products Association
Meat Institute
National Automatic Merchandising Association
National Confectioners Association
National Pasta Association
National Seasoning Manufacturers Association
North American Millers' Association
Peanut and Tree Nut Processors Association
Refrigerated Foods Association
Soy Nutrition Institute Global
Sugar Association
USA Rice