

May 20, 2026

U.S. Food and Drug Administration
5630 Fishers Lane, Rm. 1061
Rockville, Maryland 20852

Re: Request to Include Retrospective Cost-Benefit Analysis of FDA's 1993 Nutrition Labeling Rule in the Rulemaking Record for Front-of-Package Nutrition Labeling

To Whom it May Concern,

The undersigned member organizations of the Food and Beverage Issue Alliance (FBIA) respectfully submit this letter to request that the U.S. Food and Drug Administration (FDA) include a recently completed retrospective economic analysis of FDA's 1993 nutrition labeling rule in the administrative record for the agency's ongoing Front-of-Package (FOP) nutrition labeling rulemaking.

The Food and Beverage Issue Alliance and its member organizations, working with the Policy Navigation Group, commissioned a [retrospective benefit-cost analysis](#) of FDA's 1993 final nutrition labeling rule after FDA declined to undertake such a review. This independent analysis evaluates whether the substantial benefits FDA projected at the time of promulgation were realized and whether the analytical framework used in the original Regulatory Impact Analysis (RIA) was methodologically sound.

Retrospective review of major regulations is a core principle of sound regulatory policy. While agencies frequently project large benefits when proposing regulations, the federal government rarely examines whether those outcomes actually occurred or whether the assumptions and causal links underpinning the analysis were valid.

This retrospective analysis is fully consistent with the regulatory reform principles advanced under President Trump's executive orders aimed at strengthening benefit-cost analysis and retrospective review of existing regulations. In restoring the 1993 E.O. 12866 as the primary Executive order on regulatory review, the Administration affirmed its support for Section 5 of E.O. 12866 that requires agencies to reconsider the benefits-costs of past rulemakings. In other Executive orders like E.O. 14219, the Administration has directed agencies to carry out review of past rulemakings and to assess if the benefits exceed the costs. The analysis commissioned by FBIA and its member organizations directly advances these objectives by evaluating whether FDA's prior benefit-cost assumptions were borne out in outcomes and by providing evidence that can inform more accurate and

transparent economic analysis in future rulemakings, including the proposed Front-of-Package labeling rule.

This retrospective analysis raises serious questions about the validity of FDA's 1993 benefit estimates and the continued use of the same methodology, asserted causal links between label information and health outcomes, and other assumptions in subsequent rulemakings. In 1993, FDA estimated that mandatory nutrition labeling would save approximately 80,900 life-years, with a monetized value of roughly \$7.9 billion in today's dollars. However, the retrospective evidence shows that life expectancy trends did not improve following implementation of the rule, and in many cases worsened relative to prior trends. Moreover, the analysis finds that FDA failed to account for significant consumer costs necessary to achieve the projected benefits, including losses in consumer satisfaction and the value of time required to read, understand, and act on label information.

Although the public comment period for the FOP nutrition labeling proposal has closed, FDA retains discretion to consider relevant new evidence that bears directly on the economic justification and scientific foundation of the rule. Including this retrospective benefit-cost analysis in the rulemaking record would strengthen the analytical integrity of the proceeding, improve transparency, and ensure that FDA's final decisions are informed by the best available evidence, including evidence about the real-world performance of past labeling regulations.

Accordingly, we respectfully request that FDA:

1. Accept and place the attached retrospective cost-benefit analysis of the 1993 nutrition labeling rule into the administrative record for the Front-of-Package nutrition labeling rulemaking; and
2. Consider the findings of this analysis when evaluating the expected benefits, costs, and overall justification for the proposed FOP labeling requirements.

We appreciate FDA's ongoing efforts to improve public health and to base regulatory decisions on sound science and economics. Careful consideration of retrospective evidence is essential to that mission and will help ensure that future labeling policies deliver measurable, net benefits to consumers.

Thank you for your consideration of this request. We would welcome the opportunity to discuss the analysis or provide additional information that may be helpful to the agency.

Respectfully submitted,

1. American Bakers Association

2. American Frozen Food Institute
3. Corn Refiners Association
4. Independent Bakers Association
5. International Dairy Foods Association
6. National Confectioners Association
7. National Fisheries Institute
8. National Seasoning Manufacturers Association
9. North American Millers' Association
10. Refrigerated Foods Association
11. SNAC International
12. Sugar Association