

## Topic: Labeling

### Relevance to GFF

Nutrition labeling made its way back into the news in February 2014 when the Food and Drug Administration (FDA) proposed several changes to the nutrition label for the first time since it was introduced in 1993. Of these changes, the most prominent is the new design, in which calorie counts are bigger and bolder. One of the most controversial additions is the new line for added sugars. Companies will now be required to list what type of sugar is in their food product, and whether it's natural or has been added during food production.\*

Additional labeling issues are arising, including how the government's food database stacks up against actual food labels available on the market. Scientists urge inclusion of the glycemic index on food labels, and there are new rules defining "gluten free."

While these label changes are excellent for public nutrition education as a whole, the proof is actually in whether or not they help people make better choices, and this will not be seen for a long time.

\*Source: FDA

### Issue at Hand: Labeling

The proposed new nutrition label is supposed to better arm consumers with the information they need to make healthier food choices. The most visible change on the panel is that calorie counts will be bigger and bolder. In addition, the serving sizes will be updated, as well as the Percent Daily Values (DV) for a variety of different nutrients. Serving sizes are not the same as they were when the nutrition label was first created 20 years ago. On the new label the portion size is easier to identify and better reflects a typical serving consumed today. Percent Daily Value information will also appear on the left-hand side in hopes that consumers will apply nutrition into their overall diet. Highlighting these elements of the label is part of the FDA's goal of addressing current public health concerns such as obesity, diabetes and cardiovascular disease.

It is expected that there will be an active debate on the proposed changes, with the Grocery Manufacturers Association saying in a statement: "It is critical that any changes are based on the most current and reliable science. Equally important is ensuring that any changes ultimately serve to inform, and not confuse, consumers."

There are a number of public health groups that are applauding the proposed changes. The Center for Science in the Public Interest notes its agreement that the modernization of nutrition and health information on food labels is an essential weapon in the fight against obesity and diet-related disease. The Council for Responsible Nutrition also welcomed the proposed rule, particularly praising the FDA for



reinforcing the continued use of the Recommended Dietary Allowance as the basis for determining the Daily Value for nutrients.

#### Why GFF Should Be Concerned

The FDA's comment period for the updated nutrition labels closed on August 1, 2014. Once the FDA synthesizes these comments and issues its next round of proposed changes, GFF will have a more concrete idea of what food companies' concerns are with the changes and what updates the FDA will move forward with. Once the final version of the revised nutrition facts label is released, the food industry will have two years within which to comply.

During the FDA's briefing call on the proposed changes in February 2014, there was a good deal of discussion around fiber, an issue GFF will want to follow. In the proposal, there is an allowance for citizens' petitions for pre-market review of fiber-based ingredients (e.g., novel fibers) to determine if physiologic benefits exist and the ingredient could count toward Dietary Fiber on the label. All fibers are identified in the proposed rule. Likewise, soluble and insoluble fiber labeling will still be voluntary; to count toward these, there will be a need to meet fiber definitions and classifications.



While GFF supports efforts to educate consumers, it is premature to back or oppose FDA's proposed label changes. GFF will continue to collaborate with the Grain Chain on identifying label changes that will benefit both consumers and the industry alike.

Another, slightly smaller concern is the proposal to call out added sugars, vitamin D and potassium on the labels. Such a change could impact member products and ultimately messaging for certain AIM dossiers.

#### Articles of Interest

##### **Why Liberal Americans Are Turning Against GMO Labeling**

Forbes, 8/25/14

The most enlightened liberal thinkers and the progressive publications in key states are joining with the science establishment to oppose mandatory labeling. With the pro-labeling arguments not backed by evidence, some are suggesting that the mere fact of a label would contribute to the stigmatization of food that is actually perfectly healthy.

##### **Gluten-Free Food Labels Must Now Comply with FDA Rules**

USA TODAY, 8/5/14

New federal rules defining the use of the term "gluten-free" on packaged foods took effect, with the hope that a more standard classification will eliminate uncertainty among consumers with celiac disease. The rules were officially published by the FDA in August 2013.





### **Can You Trust That Organic Label on Imported Food?**

NPR, 7/23/14

Features a new book called *Organic: A Journalist's Quest to Discover the Truth behind Food Labeling* that discusses “organic fraud” — products that claim to be organic but are not necessarily. The author cites reasons to distrust organic food, stemming from exhaustive interviews, including a lack of transparency and a conflict of interest that’s built into the system.

### **GMO Food Labeling Law Pressure Mounts**

USA TODAY, 7/16/14

As more states regulate the labeling of foods made with genetically modified organisms, Congress is facing pressure to establish a uniform, nationwide law.

### **Are We Going to See an Explosion of Food Labeling Lawsuits?**

Forbes, 6/18/14

This discusses POM’s recent lawsuit against Coca-Cola over its Minute Maid “Pomegranate Blueberry Blend of 5 Juices” that contains barely any actual juice. It highlights the lawsuit and its implications moving forward, as well as the potential for a surge in the number of food labeling lawsuits.

### **What Does "Natural" Really Mean on Food Labels?**

CBS News, 6/16/14



Consumer Reports launched a campaign to ban the term “natural,” claiming it confuses and misleads shoppers when it is highlighted on product packaging. While more than half of consumers look for the term on food labels, the FDA has not developed a strict definition and manufacturers can use “natural” pretty much at their discretion.

### **The FDA's Food Label Flaws**

U.S. News, 5/19/14

While conceding that better labels could help consumers and curb obesity, this reporter faults the FDA’s proposal for improving the food label design, citing it as a “wasted” opportunity. Shortcomings cited include only marginal design changes and a lack of empirical evidence to support the tweaks.

### **Base Food Labeling on Fact, Not Fear**

The Los Angeles Times, 5/5/14

This editorial is about how food products should feature labeling that highlight only facts, not fear, specifically regarding genetically engineered food.

### **Vermont Becomes First Mover on GMO Labeling**

Associations Now, 4/28/14



There are no conditions on Vermont’s efforts to regulate genetically modified organisms: Unlike other Northeastern states, where GMO labeling laws are contingent on what their neighbors do, Vermont will go it alone when its law goes into effect in 2016. The bill passed on the backs of the local grassroots organizations, but state and national groups have major concerns.



### **Improve the Food, Not Just the Food Label**

LiveScience, 4/24/14

Bread used to be made of wheat, water, salt and yeast. When you buy real bread, you'll notice there is no nutrition label. What comes in bags with twist ties isn't bread but rather a wheat-based product. We should face the facts and understand that many foods sold in boxes or bags, and produced in a factory by the food industry, are unhealthy.

### **Mind over Milkshake: How Your Thoughts Fool Your Stomach**

NPR, 4/14/14

This story covers research conducted in the last year examining how label claims (e.g., nonfat, indulgent) and the Nutrition Facts Panel shape beliefs about food and the body's reaction to its consumption. When something is labeled as low-calorie or "diet," researchers have found people feel less satisfied and have higher levels of ghrelin than if they consume something more indulgent.

### **Hitting High Marks for Whole Grains**

Food Business News, 3/18/14

The USDA determined what "whole-grain rich" products are able to be a part of the National School Lunch program, but it's not clear which products can use this claim in their label. At this time the FDA does not permit this claim to be used on labels.



### **Beware of These 4 Food Label Claims**

The Huffington Post, 3/10/14

This highlights four food label claims to be wary of, including "made with whole grains," noting that companies aren't required to disclose how much per serving of a particular product is actually whole grain-based.

### **Nutrition Labels Getting a Makeover**

CNN.com, 2/27/14

This covers the FDA's announcement to propose new changes to the nutrition facts label. The most notable change includes altering the serving-size requirements to reflect real life consumption. These changes are praised by the nutrition community, but some organizations (CSPI) are not satisfied.

### **Most Americans Don't Eat Enough Whole Grains, Fiber Study Says**

CBS News, 2/5/14

A study funded by General Mills finds most Americans do not consume the recommended amounts of whole grains and fiber. The study team discovered 39 percent of children and teens and 42 percent of adults consumed no whole grains at all. Only 3 percent of children and teens and about 8 percent of adults ate at least the recommended three servings per day. Commenters including the study researchers and Roger Clemens cite the confusion about labeling to be a key driver in the lack of consumption.





### **Could a Health “Score” on Food Packages Help You Eat Better?**

The Huffington Post, 11/12/13

This discusses how a front-of-package food label that boils down nutrition information to a single score may be a user-friendly approach for people searching for healthy food options.

### **GMO-Free Label Gets USDA’s Stamp of Approval**

Capital Press, 9/9/13

The USDA has approved a label by the Non-GMO Project that verifies the absence of genetically modified products in some foods. The USDA reviewed their verification and compliance process and approved the label for meat and meat products. Although there are no GMO animals on the market, the label corresponds with the animals’ feed.

### **FDA Issues New Rules on Gluten Labeling**

USA TODAY, 8/2/13

The FDA released new rules defining “gluten-free” as a food containing fewer than 20 parts per million of gluten. Even more at the end of this article declaring the new definition, Stefano Guandalini, director of the University of Chicago’s Celiac Disease Center, states, “There is no evidence that a gluten-free diet is healthier or is a means to lose weight....When completely removing gluten (wheat, barley and rye) from the diet and not replacing with substitutes, you might indeed experience weight loss, but that is not from the lack of gluten, rather from the lack of other calorie sources, especially carbohydrates, that are removed along with gluten.”



### **Scientists Urge Inclusion of Glycemic Index on Food Labels**

FoodNavigator.com, 6/12/13

The quality of carbohydrates in foods as measured by their glycemic index (GI) should be included in national dietary guidelines and on food labels, according to a group of leading nutrition scientists from 10 countries. The International Scientific Consensus Summit on Glycemic Index, sponsored by Oldways and the Nutrition Foundation of Italy, was held and scientists concluded that due to the rise in diabetes and the documented effect of high-glycemic foods on blood sugar, GI should be included on food labels.

### **What Do We Eat? New Food Map Will Tell Us**

Minnesota Public Radio, 5/19/13

From the Associated Press, a new research study out of UNC Chapel Hill is examining how the government’s food database stacks up against actual food labels available on the market. A large database is being built to cross-reference the USDA’s information and find gaps in what Americans are actually consuming day-to-day. The argument is the industry changes food formulations faster than the government can keep up with. This study is still a work in progress, but many are highly anticipating its results, such as Marion Nestle. It will be interesting to see the results and how real-time mobile applications like MyFitnessPal, which lets you scan barcodes for nutrition info, will play out in the future.

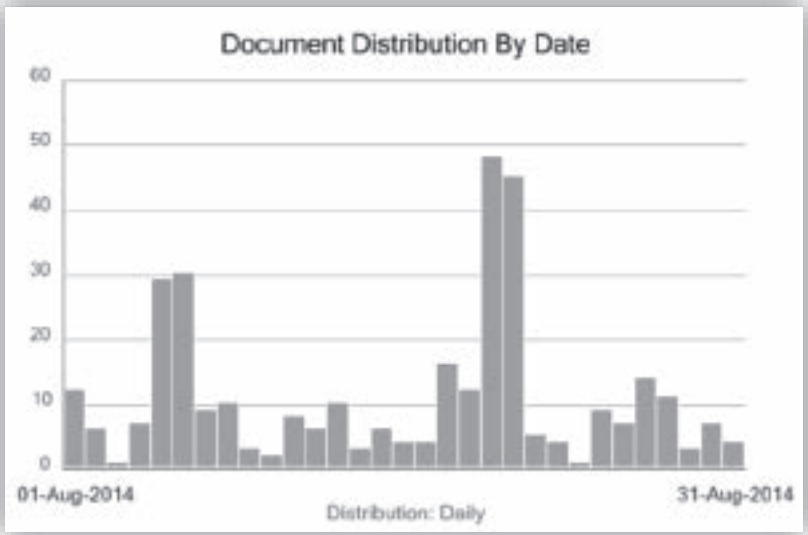


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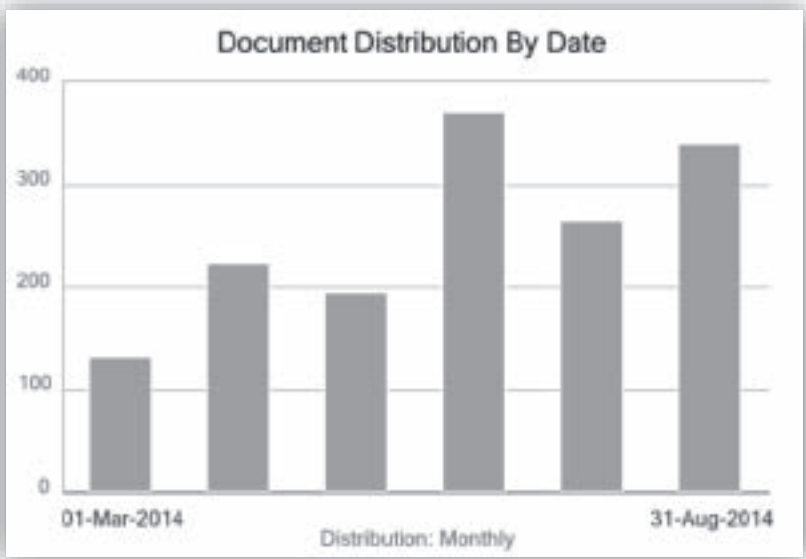
**Media Charts**

While the volume of media coverage was moderate over the 2014 fiscal year, there was a relative increase towards the back half of the twelve months, with food labeling pressure mounting, regulations on gluten and GMO labeling being discussed and some liberal news publications actually coming out as anti-labeling.

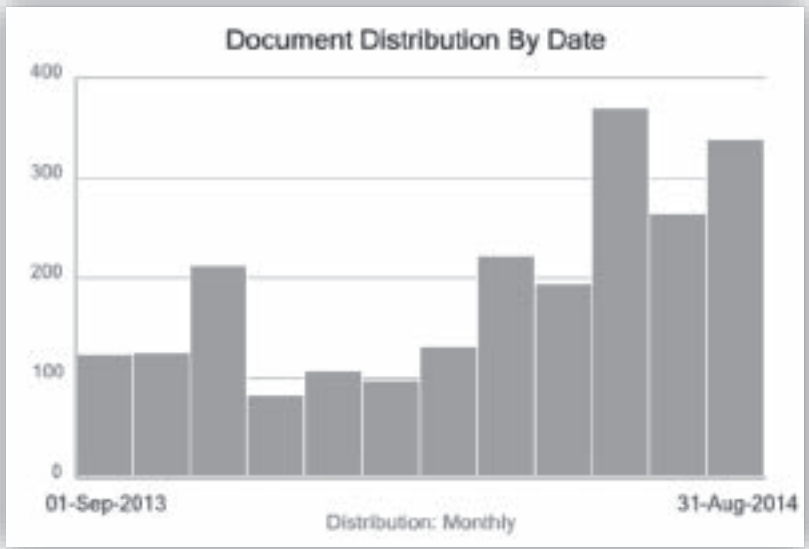
**Labeling Mentions (Past Month)**



**Labeling Mentions (Past Six Months)**



Labeling Mentions (Past Year)





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### GFF Holding Statement: Labeling

GFF believes in providing transparent, easy-to-understand tools which help consumers make healthful choices. It supports nutrition education on grains, grain-based products and labels that provide digestible, meaningful nutrition information. That said, with the pending proposed changes to the food label and Nutrition Facts Panel, it is imperative that GFF closely monitor the topic as the changes could have strident implications for GFF members. Once the ruling on the proposed changes is finalized, GFF will assess the best course of action on relevant educational efforts.

### Questions and Answers

*What new proposals were made to nutrition labeling in 2014?*

In February 2014, the Food and Drug Administration (FDA) proposed several changes to the Nutrition Facts Panel for the first time since it was introduced in 1993. Of these changes, the most prominent is the new design, in which calorie counts are bigger and bolder.



The proposed changes are meant to better arm consumers with the information they need to make healthier food choices. The most visible change on the panel is that calorie counts will be bigger and bolder. In addition, the serving sizes will be updated, as will the Percent Daily Values (DV) for a variety of nutrients.


*What label issues are arising?*

One of the most controversial proposed changes is the addition of a declaration of added sugars. Companies would be required to list what type of sugar is in their food product, and whether it's natural or has been added during production.

Additional label issues include: how the government's food database stacks up against actual food labels available on the market; scientists urging inclusion of glycemic index on food labels; and new rules defining "gluten free."

*When will the updated nutrition labels go into effect?*

Once the final version of the revised nutrition facts label is released, the food industry will have two years within which to comply.







*What is GFF’s position on the new labels?*

GFF will have a more concrete idea of what food companies’ concerns are with the changes and what updates the FDA will move forward with once all comments are submitted.

While GFF supports efforts to educate consumers, it is premature to back or oppose FDA’s proposed label changes. GFF will continue to collaborate with the Grain Chain on identifying label changes that will benefit both consumers and the industry alike.





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During the FDA's briefing call in February 2014 on the proposed changes, there was a good deal of discussion around fiber, an issue GFF will want to follow. In the proposal, there is an allowance for citizen's petition for pre-market review of fiber-based ingredients (e.g., novel fibers) to determine if physiologic benefit exists and the ingredient could count toward Dietary Fiber on the label. All fibers are identified in the proposed rule. Likewise, soluble and insoluble fiber labeling will still be voluntary; to count toward these there will be a need to meet fiber definitions/classifications.

