



July 15, 2022

President Joe Biden
The White House
1600 Pennsylvania Ave, N.W.
Washington, DC 20500

Ambassador Susan Rice
Assistant to the President for Domestic Policy
1600 Pennsylvania Ave, N.W.
Washington, DC 20500

Dear President Biden and Ambassador Rice,

The Center for Science in the Public Interest (CSPI)¹ applauds your plan to convene a White House Conference on Hunger, Nutrition, and Health. The first conference occurred more than 50 years ago, spurring the movement toward the Nutrition Facts panel and leading to the creation and expansion of critical nutrition and anti-hunger safety net programs: the Supplemental Nutrition Assistance Program (SNAP), the Special Supplemental Nutrition Program for Women, Infants and Children (WIC), and the National School Breakfast and Lunch Programs (school meals). The challenges we now face still include hunger, but reach far beyond. In addition, we now face an epidemic of diet-related disease, COVID-19-related morbidity partly associated with many of these diseases, a food environment that does not support healthy eating, and much more. And preventable diet-related diseases such as heart disease and diabetes are leading causes of death and disability. We hope this Conference will accelerate progress to reducing the impact and burden of preventable diet-related disease and ending hunger.

Nutrition insecurity, food insecurity, and diet-related chronic diseases disproportionately affect people of color as well as low-income, rural, and other underserved populations. The COVID-19 pandemic has laid bare the strengths and weaknesses of a food system that contributes to these disparities. For instance, although overall food insecurity levels stayed roughly the same during the pandemic, likely attributable to many public supports like an enhanced school meal program and increased investments in SNAP, WIC, the Child and Adult Care Food Program (CACFP), food insecurity among children increased and existing inequities in food security widened between Black and Latine households when compared to White households.²

As a country, we must do more to confront food system and health inequities and to address the twin epidemics of diet-related disease and hunger. The Conference can spark a modernized, improved food system infrastructure and environment – a just and resilient system in which all residents of the United States can equitably access adequate amounts of nutritious, affordable, transparent, safe, sustainable, and culturally appropriate food.

Below, we first lay out our top federal policy recommendations for the Conference and strategic plan under development, followed by our state and local and corporate recommendations. We close with our overarching recommendations for conducting the conference. Responding to the White House's request for initiatives at federal, corporate, and state and local levels, this letter subsumes our previously submitted federal-level letter.³ Please note, any of the five pillars (key focus areas determining the scope of the Conference as defined by the White House) relevant to each recommendation are indicated in parentheses with each recommendation.⁴

Federal Recommendations:

- 1. Establish a federal entity and coordinated strategy to strengthen the food system, break down silos, and reduce diet-related disease.** This Conference comes on the heels of a recent Government Accountability Office report that identified 200 federal efforts related to diet across 21 federal agencies.⁵ The report found agency efforts to be fragmented and recommended that a federal entity coordinate a strategy for reducing diet-related disease. The cross-government cooperation required to address the infant formula crisis further highlights the utility of a coordinating body. We recommend the administration create a cross-agency body to coordinate food and nutrition efforts across the whole of government. This could take the form of a new White House Deputy Assistant to the President for Food and Nutrition Policy who would lead a cross-agency Federal Food and Nutrition Working Group. That Working Group would coordinate between and report to the President, the Cabinet, and Congress on nutrition, food access, health equity, sustainability, and related climate issues across agencies. In planning the Conference, the administration has, in effect, created this Working Group as the Conference has required a whole-of-government approach to coordinate across numerous federal agencies and staff. **(Pillars 2,5)**
- 2. Issue an Executive Order to require use of the *Food Service Guidelines for Federal Facilities (FSG)* for food and beverages sold and served at federally owned and operated facilities.**⁶ Developed by an interagency working group led by the Centers for Disease Control and Prevention (CDC), the FSG are evidence-based, currently voluntary best practices to align food service in federal facilities with the *Dietary Guidelines for Americans* and advance food safety, facility efficiency, environmental support, and community development. The FSG are a critical tool to leverage government purchasing power and operations to improve health outcomes and reduce long-term health care costs⁷ for the millions of people who rely on federal food service operations, including federal employees, veterans in Veterans Affairs hospitals, members of the armed services, and people who are incarcerated in federal prisons. Robust implementation would be an unmistakable signal to all that the federal government is willing to “walk the walk” when it comes to nutrition; ideally the private sector would adopt similar policies. This executive order should also be a vehicle for advancing other Biden administration priorities through federal food procurement, such as improving racial equity and slowing climate change. **(Pillars 1,2,3)**
- 3. Establish a mandatory front-of-package labeling system that effectively and conveniently signals to consumers the nutritional quality of foods.** Dozens of countries, including Canada in the last month, have already adopted front-of-package nutrition labeling systems, and a large body of experimental and real-world evidence shows that such systems can promote more equitable access to nutrition information, encourage healthier diets, and promote reformulation. An ideal system would be mandatory, easy-to-understand, nutrient-specific, include calories, and be interpretive with respect to the levels of added sugars, sodium, and saturated fat. Examples of such systems include warning labels or stoplights that alert consumers to high levels of nutrients, which show efficacy at improving the nutritional quality of food purchases across studies.^{8,9} Such warnings have also proven effective in other countries. For example, in the 18 months after Chile adopted a mandatory nutrient warning label policy in 2016, sugary drink sales dropped by almost 25 percent.¹⁰ **(Pillars 2,3)**
- 4. Reduce excessive sodium and added sugars in our food supply by establishing voluntary industry reduction targets that fully rein in exposure to levels consistent with the *Dietary Guidelines for Americans*.** We were pleased to see the Food and Drug Administration (FDA) release its short-term voluntary sodium reduction targets for industry, first proposed in 2016 in response to CSPI’s 2005 petition and subsequent litigation. The FDA must now work with industry to ensure robust implementation of the 2.5-year short-term targets and establish longer-

term targets that would fully achieve safe levels of sodium in the food supply. Similar to the FDA sodium guidance, we urge the FDA to set voluntary and gradually decreasing added sugars reduction targets for packaged and restaurant foods and beverages. Congress can support FDA in these actions by appropriating \$1,000,000 to FDA to aid the agency in assessing progress and working with industry on meeting the targets. This funding request is supported by CSPI, the American Heart Association, the American Public Health Association, and members of the food industry from the Sustainable Food Policy Alliance (SFPA), which includes Danone North America, Mars, Incorporated, Nestlé USA, and Unilever United States.¹¹ **(Pillars 2,3)**

- 5. Strengthen nutrition research by supporting the establishment of a National Institute of Nutrition at the National Institutes of Health.** Nutrition is not the primary focus of any federal agency and additional coordination is necessary to advance research that addresses increasingly complex and interdisciplinary nutrition issues. Nutrition research continues to be challenged by stagnant funding levels and a lack of resources for coordination. The National Institutes of Health (NIH) is the largest funder of nutrition research, yet such research makes up only 5 percent of its total funding and is spread across many NIH institutes. While the creation of the Office of Nutrition at NIH in 2015, its move to the Office of the Director in 2021, and the release of NIH's first agency-wide strategic plan for nutrition research in 2020 are important steps forward, establishing a National Institute of Nutrition would promote essential nutrition research within NIH and across federal departments and agencies. **(Pillars 3,5)**
- 6. Support a national sugary drink tax.** Sugary drink excise taxes are one of the most effective policies to discourage the purchase of sugary drinks, the top source of added sugars in the American diet.¹² Sugary drink taxes could support increases in federal investments for SNAP, WIC, and school meals, and for state and local community-driven public health programs and initiatives. Currently, seven localities have enacted their own sugary drink taxes and such legislation has been introduced in Congress for nearly a decade (SWEET Act) led by Rep. Rosa DeLauro (D-CT). We encourage you to consider such strategies as they can drive down sales volume and generate much-needed revenue for health programs. We provide additional detail about sugary drink taxes at the state and local level later in this letter. **(Pillars 2,3)**
- 7. Ensure school meals are aligned with the *Dietary Guidelines for Americans* and continue support for healthy school meals for all.** We are pleased that the U.S. Department of Agriculture (USDA) has committed to updating the nutrition standards for school meals in alignment with the *Dietary Guidelines for Americans* (DGA) in early 2023. USDA must align school meals with the quantitative nutrient recommendations in the DGA for sodium, whole grains, and added sugars. We urge the USDA to establish a new added sugar standard and update the sodium and whole grain-rich standards in the anticipated winter rulemaking next year. The USDA should also provide robust technical assistance to schools to aid implementation. Additionally, while we were pleased to see the Biden administration call for expanding access to free school meals in the American Families Plan, the pandemic has made clear the continued importance of healthy school meals for all. **(Pillars 1,3)**
- 8. Provide \$100 million for SNAP nutrition security demonstration projects that increase access to healthy food.** Demonstration projects should test innovative strategies such as marketing guidelines for retailers, including hot and prepared foods for purchase from SNAP-authorized retailers, examining the level of a benefit boost needed to meaningfully impact nutritional and other health outcomes, and testing incentives for nutritious food combined with disincentives for sugar sweetened beverages. **(Pillars 1,2,3,5)**

- 9. Improve the retail food environment by issuing stronger stocking requirements for SNAP-authorized retailers and exploring strategies to reduce the commercial marketing of foods that do not align with the latest Dietary Guidelines for Americans.** Further improvements could be achieved by re-examining the SNAP retailer application process and requiring retailers to adhere to certain marketing and stocking guidelines that increase the availability, placement, and promotion of healthy foods. Congress can help by increasing funding for SNAP-Ed in the online environment. **(Pillars 1,3)**
- 10. Continue support for, protect access to, and increase the monthly benefit for SNAP.** We applaud your work to update the Thrifty Food Plan (TFP) and urge your support for aligning the basis of SNAP allotments with the Low-Cost Food Plan. The Low-Cost Food Plan is more aligned with actual food costs than the TFP. Simultaneously, we urge you to protect SNAP eligibility by making permanent pandemic-era expanded college student access, eliminating bans for individuals with prior drug felony convictions, repealing the three-month time limit for adults facing work requirement barriers, and streamlining SNAP participation with simultaneous enrollment in other programs for which participants are eligible. Congress could further enhance SNAP participants' ability to purchase healthy food by expanding the Gus Schumacher Nutrition Incentive Program (GusNIP). **(Pillars 1,3)**
- 11. Continue support for increased fruit and vegetable benefits in WIC and update the WIC food package to align with the Dietary Guidelines for Americans.** We applaud the administration's support to enhance the monthly fruit and vegetable benefits for nearly 6 million women and children.¹³ We further appreciate your work to modernize WIC to reach more eligible mothers and their children and better meet their nutritional needs by updating the food packages to reflect the recommendations of the National Academies of Science, Engineering, and Medicine and the *Dietary Guidelines for Americans*. **(Pillars 1,2,3)**
- 12. Adopt nutrition guidelines for all USDA Food Distribution Programs.** The charitable food system is meant to be the last line of defense for families experiencing food insecurity. Yet more and more families rely on food banks regularly as their SNAP benefits run short at the end of the month. Nutrition standards, which are currently not a part of USDA Food Distribution Programs, would help reduce nutrition and health disparities by ensuring that families who rely on the charitable food system are able to access quality nutritious food. **(Pillars 1,3)**
- 13. Reduce anticompetitive manufacturer and retailer marketing practices that harm consumer health.** The Federal Trade Commission (FTC) is currently investigating harmful trade promotion practices and category captain arrangements in their broader supply chain disruption investigation. These grocery retail practices drive up entry costs, cede control of critical retail decisions to leading brands, and ultimately lead to a grocery store environment that disproportionately promotes unhealthy options. We urge you to support the FTC investigation, disclosure of investigation findings, and any enforcement actions that stem from these findings. **(Pillar 3)**
- 14. Direct the FTC to use its 6(b) authority to complete a follow-up study on marketing expenditures by food and beverage companies to children and adolescents.** The FTC previously completed two reviews on this topic, in 2008 and 2012.^{14,15} Since these reports were published, marketing tactics and stratagems have evolved, moving aggressively into digital media and becoming more sophisticated in marshalling data and algorithms to target individuals, including children. The Commission should update topics in previous reports and incorporate three new priorities:

- a. Food and beverage marketing to children and adolescents of color;
- b. Digital food and beverage marketing and associated targeted data practices; and
- c. Food and beverage marketing on educational technology platforms, including companies' efforts to collect and use children's data while they are in school or participating in virtual learning.

The House Fiscal Year 2023 Financial Services and General Government appropriations committee report includes similar language requesting an updated study.¹⁶ **(Pillars 3,5)**

15. Require online food retailers to provide consumers with access to the same nutrition, ingredient, and allergen information required on food packages. People in the United States increasingly purchase their groceries online, but the nutrition, ingredient, and allergen information required on food packages is not required to be made available to online shoppers. A study of nine major online retailers in 2021 found that Nutrition Facts, ingredient lists, and allergens were often not disclosed at the online point of sale or, when disclosed, were often difficult to read or hard to find.¹⁷ FDA can address this with guidance recommending complete publication of labeling information at any point of sale. In addition, Congress should pass legislation to ensure all food labeling information is required at the point of sale. Congress can further address this by appropriating \$6,000,000 to FDA to fund consumer-awareness education campaigns for the updated Nutrition Facts panel (\$3,000,000) and menu labeling (\$3,000,000). This funding request is supported by CSPI, the American Heart Association, the American Public Health Association, and members of the food industry from the SFPA.¹⁸ Finally, while calorie information must be posted for online restaurant menus, FDA should clarify that such information also must be available when restaurants post their menus on third party platforms like Uber Eats, Grubhub, and DoorDash. **(Pillars 2, 3)**

16. Develop a mandatory serving facts label for all alcoholic beverages. While some alcohol products are regulated by the FDA and are therefore required to bear "Nutrition Facts" and ingredients information, most are regulated by the Alcohol Tobacco Tax and Trade Bureau (TTB), an agency within the Treasury Department, which does not require such information to be published on the label. Mandatory alcohol serving facts labels could promote transparency and help address the overconsumption of alcohol, a serious and costly public health problem. An estimated 140,000 people in the United States die annually from alcohol-related causes and almost 20% of men and 6% of women consume more than 300 calories from alcoholic beverages per day.^{19,20,21} The TTB should mandate standardized serving facts labels on all alcoholic beverages. Congress can further help by moving authority over alcohol labels from the TTB to the FDA, an agency with a public health mission. **(Pillars 2,3)**

17. Improve federal oversight of food chemicals and dietary supplements. Chemicals currently in the U.S. food supply, including chemicals directly added to foods, substances that migrate into food from food packaging or the environment, and chemicals found in dietary supplements, impact health. Some have been linked to cancer, cardiovascular disease, reproductive toxicity, and brain damage. Many of the harmful chemicals intentionally added to food, food-contact materials, and dietary supplements are brought to market without notifying FDA, through a loophole that allows companies to self-determine that a substance is "Generally Recognized as Safe" or GRAS. FDA can address this by closing the GRAS loophole and should also withdraw unsafe additives (including Red 3 and aspartame). Congress should act by enhancing FDA authority and appropriating augmented funds to regulate dietary supplements, where misleading marketing, harmful ingredients, and adulteration are commonplace. **(Pillar 2)**

18. Ensure foods consumed by infants and young children are safe. Recent events have highlighted longstanding gaps in the safeguards protecting foods consumed by infants and young children. Two 2021 Congressional reports showed how the baby food industry and the FDA have failed to ensure baby foods are free from toxic heavy metals.^{22,23} Those reports also highlighted internal testing by the baby food industry which showed that the products they sold sometimes contained dangerously high levels of heavy metals like lead, arsenic, cadmium, and mercury. In addition, the deadly *Cronobacter* outbreak and large recall of infant formula in February 2022 highlighted vulnerabilities in safety and supply of this critical food.²⁴ The FDA should ensure infants and young children have steady access to safe food by expediting action under its Closer to Zero Action Plan.²⁵ Chemical standards should be based on the public health need to protect infant health, not on what industry can readily accomplish, as is too often the case. Congress can help by providing the FDA with additional resources to ensure the safety of infant formula, requiring companies to notify the FDA of impending shortages, and granting new authority to the agency to proactively address shortages. **(Pillars 1,2)**

19. Better prevent foodborne illnesses. Foodborne illness continues to sicken one in six Americans each year. In addition to their direct impacts, foodborne illness outbreaks can exacerbate food shortages and undermine nutrition by deterring consumption of healthy foods like leafy greens that are the subjects of outbreaks.²⁶ The FDA can address this problem by finalizing and strengthening rules aimed at improving the safety of agricultural water used in produce production and ensuring foods can be easily traced during outbreaks. USDA can create new standards targeting the most dangerous types and quantities of *Salmonella* contamination in poultry, a leading cause of foodborne illness. Congress can assist by granting USDA the authority to investigate zoonotic diseases on farms, providing valuable information to help monitor both foodborne illness and other diseases that can spread from animals to humans. **(Pillar 2)**

State and Local Recommendations:

- 1. Adopt sugary drink excise taxes.** Seven U.S. cities currently have such a tax and revenue has been used to support investments in communities, children, nutrition, and health.²⁷ In the U.S., sugary drink taxes, where implemented, have reduced sales volume of taxed beverages from 21-39 percent.^{28,29,30,31} We recommend a tiered model based on sugar content including a no tax tier, a medium tax tier, and a high tax tier. This model provides an economic incentive for consumers to purchase drinks with less sugar to avoid the higher tax; it also incentivizes the beverage industry to reduce sugar content in its products so that their products will be taxed at a lower rate. **(Pillars 1,3)**
- 2. Adopt healthy food service guidelines and values-aligned food purchasing standards (e.g., the Good Food Purchasing Program).** In 2008, New York City became the first jurisdiction to adopt science-based nutrition standards for all foods purchased and served by city agencies.³² The standards apply to 230 million meals and snacks served each year in schools, senior centers, homeless shelters, child care centers, after-school programs, correctional facilities, and public hospitals.³³ With support from the city's health department, city agencies comply with 90% of the standards on average, and the standards are updated periodically to stay current with the latest science.³⁴ Mayor Adams recently reaffirmed the city's commitment to the food standards and established the city's Good Food Purchasing Program, which incorporates standards for supporting local economies, environmental sustainability, animal welfare, and a valued workforce in food procurement.³⁵ **(Pillars 1,2,3)**
- 3. Adopt added sugars and sodium menu warning icons.** While food labels are regulated federally, state and local governments may require safety warnings on foods, including warnings based on nutrition. Two localities, New York City and Philadelphia, have already successfully enacted policies requiring warning icons for chain restaurant menu items containing more than the recommended daily limit for sodium (2,300mg).^{36,37} In addition, the New York City Council recently passed a bill to require similar warnings for added sugars.³⁸ A growing body of evidence indicates that such warnings provide consumers with key nutrition information and can encourage restaurants to reformulate unhealthy items.³⁹ **(Pillars 2,3)**
- 4. Adopt healthy school meals for all and protect school nutrition standards.** Absent action from the federal government, states should pass their own policies that provide healthy, free school meals to all children regardless of family income, as has been done in California, Maine, and Vermont. States should also act to protect and strengthen school meal nutrition standards, particularly regarding sodium, whole grains, and added sugars. Further, states should set standards that promote kids' health by eliminating non-nutritive sweeteners (i.e., aspartame, ace-k, sucralose, and saccharine) that pose a cancer risk and synthetic dyes that have been linked to neurobehavioral issues in children from school meals. States could also address other key school food issues such as increasing reimbursement and technical assistance to schools, setting seat time and mealtime requirements, funding kitchen equipment, and strengthening nutrition standards for summer meals. **(Pillars 1,3)**
- 5. Leverage stocking standard and marketing standard requirements for SNAP retailers to create a healthier retail environment for all consumers.** SNAP participants and other low-income individuals may be uniquely exposed to unhealthy food marketing and lack of quality, affordable, nutrient-dense food in nearby stores.^{40,41,42,43,44} States and localities can enact SNAP stocking and marketing standards to encourage retailers to stock and market more nutritious foods, both in-store and online. Alongside technical assistance (particularly for smaller retailers, to increase equity in implementation and retain SNAP-enrolled retailers), we recommend that

states pilot strategies like staple food ordinances that require grocery stores to sell certain amounts of fruits, vegetables, grains, eggs, and low-fat dairy. Another policy option could be increased state support for SNAP-Ed in the online food environment. **(Pillars 1,3)**

- 6. States should file for USDA waivers to improve access to nutritious food through SNAP and to improve the health impacts of SNAP.** Based on community feedback, we recommend states file for USDA waivers to improve the health impacts of SNAP without increasing the stigma associated with SNAP enrollment.⁴⁵ Through USDA waivers, states can pilot innovations to SNAP such as the inclusion of nutritionally dense hot and prepared foods, additional fruit and vegetable benefits, or increased benefit allotment frequency. One strategy of particular interest is waivers that support disincentives for sugar sweetened beverages (SSBs), paired with incentives for produce (also known as paired incentive/disincentive models).⁴⁶ Paired incentive/disincentive models in SNAP may generate significant nutritional health benefits and cost savings. Importantly, most individuals who participate in SNAP support this combined strategy.⁴⁷ Yet, current research is limited to simulation studies or studies conducted among non-SNAP participants. A pilot among SNAP participants would offer valuable insight into this strategy's health potential, technical feasibility, cost-effectiveness, and possible unintended consequences. **(Pillars 1,3,5)**
- 7. States should provide funds to expand SNAP incentives.** Expanding SNAP incentive funding can help grow the positive impacts of incentives and brings in more federal matching dollars through GusNIP. Across the country, states have successfully passed budget legislation to increase incentive funding, with some states allocating over \$10 million. We recommend states continue funding nutrition incentives while simultaneously working to simplify program infrastructure and technology through innovations such as integrating incentives directly onto EBT cards. Massachusetts and California passed legislation to expand program reach and establish efficient incentive distribution through EBT cards.⁴⁸ **(Pillars 1,3)**
- 8. Localities can adopt policies to promote healthy choices at food retailers.** Americans get three-quarters of their calories from food retailers. Unfortunately, manufacturers and retailers strategically place and promote candy, sugary beverages, and other unhealthy items throughout the store to drive unhealthy impulse purchases. Local policies to stock healthier, more nutrient-dense items in high-traffic areas of the store, like the checkout aisle, ends of aisles, and front of store, are evidence-based strategies to increase healthy purchases.^{49,50} **(Pillar 3)**
- 9. Take action to improve the nutritional quality of restaurant kids' meals.** U.S. households eat outside the home around five times a week and children ages 2-11 consume roughly 12 percent of their daily calories from fast food alone. Yet many restaurant children's meals fail to meet expert nutrition standards.⁵¹ States and localities should pass policies that improve the healthfulness of restaurant kids' meals, as twenty-nine jurisdictions already have.⁵² Policies should include at least one, but could include up to all three, of the following provisions. **(Pillar 3)**

 - a. Nutrition Standards for all Restaurant Children's Meal Combinations:** Require that children's meals at restaurants meet expert nutrition standards for calories, calories from saturated fat, added sugars, and sodium. Meals should also include two items from the following food groups, and at least one must be a fruit or vegetable: fruit, vegetable, non-fat or low-fat dairy, and whole grains.
 - b. Healthy Default Sides:** Require the side to be one or more of the following: one-quarter cup unfried fruit or one-quarter cup of unfried vegetables, excluding white potatoes.

- c. **Healthy Default Beverages:** Require the beverage to be one or more of the following: water or seltzer without added sweetener, flavored or unflavored non-fat or low-fat dairy milk or nondairy milk alternative, or 100 percent juice or juice diluted with water.

10. Protect consumers from predatory advertising. Local and state governments can issue executive orders and enact legislation to curb damaging advertising practices that make it harder for consumers to choose healthy foods and beverages. Recent examples include a February 2022 executive order signed by New York City Mayor Eric Adams, which ensures that only healthy foods can be featured in advertisements for food products on city property.⁵³ This order drew on London’s 2019 ban on advertising food and non-alcoholic beverages high in fat, salt, and sugar across the city’s public transportation system, which was associated with a 1,000 calorie decrease in weekly unhealthy food purchases per household.⁵⁴ State legislatures can also take action: a bill introduced in New York State, the Predatory Marketing Prevention Act, would give the New York Attorney General and private litigants more power to sue companies engaged in predatory marketing, particularly when aimed at children and other vulnerable groups. **(Pillar 3)**

11. Introduce or strengthen state-funded farm-to-food bank (FTFB) programs. People who rely on the charitable food system both prefer and deserve nutritious food that supports their health.⁵⁵ However, 25 percent of food bank distributions are unhealthy.⁵⁶ The FTFB supply chain is a key opportunity to increase nutritious donations and fight hunger, while also supporting local agriculture. Effective state-funded programs include Mainers Feeding Mainers, which was able to source 2.2 million pounds of nutritious food from local farmers, investing \$966,000 into Maine’s agricultural economy in 2021.⁵⁷ **(Pillars 1,3)**

Voluntary Corporate Action Recommendations:

- 1. Retailers can adopt healthy merchandising policies.** Retailers and manufacturers should make impulse purchases healthier by placing only healthier beverages and foods in high-traffic areas of the store, like the checkout area, ends of aisles, and the front of the store. Adopting healthy checkout, healthy end cap, and Keep Soda in the Soda Aisle policies can increase healthier food and beverage purchases, benefiting both customer health and retailer bottom lines. **(Pillar 3)**
- 2. Food companies should include folic acid fortification in corn masa products.** Folic acid fortification of enriched cereal grain products in the United States has led to a significant reduction in neural tube defects (NTDs), a form of birth defect including anencephaly and spina bifida. However, this progress has not been shared equally by the Hispanic population, which still has the highest rates of NTDs. A potential contributor is that there has been limited uptake of corn masa fortification by corn masa flour and corn tortilla producers.^{58,59} To address this gap, manufacturers should expand their fortification of both corn masa flour and corn tortillas. Retailers should strive to stock shelves with more fortified corn masa flour and tortilla products. **(Pillars 2,3)**
- 3. Restaurants should improve the nutritional quality of their children's menus.** Restaurants can improve offerings by joining the National Restaurant Association's Kids LiveWell program, a voluntary self-regulatory program that requires participating restaurants to offer two meal combinations and two side dishes that meet nutrition standards and requires healthy default beverages. Restaurants can also independently adopt more rigorous nutrition standards for their kids' meals, remove sugary drinks from their kids' menu, and require healthy side options as part of a kids' meal combination. **(Pillar 3)**
- 4. Food and beverage companies should improve the nutritional quality of foods marketed to children.** Industry can do this by joining the BBB National Programs Children's Food and Beverage Advertising Initiative (CFBAI) and Children's Advertising Review Unit. Furthermore, CFBAI itself could be updated to cover a larger range of ages and marketing scenarios, and its nutrition standards could be strengthened. Industry can also independently limit the quantity of advertising to children across all forms of media and/or only advertise products that meet science-based nutrition standards. **(Pillar 3)**
- 5. Beverage companies and universities negotiating pouring rights contracts should follow healthy beverage guidelines.** Beverage companies that have or are negotiating pouring rights contracts with colleges and universities should agree to follow healthy food and beverage guidelines that replace sugar-sweetened beverages with healthier beverages such as water, sparkling water, or unsweetened coffee or tea to the greatest extent.⁶⁰ **(Pillar 3)**
- 6. Online food and beverage retailers should ensure nutrition, ingredient, and allergen information is available and correct for all food sold online.** They should also ensure it is in an easily accessible and legible format, with no intervening marketing material. **(Pillar 3)**
- 7. Food and beverage companies can support and implement the FDA short-term (2.5 year) voluntary sodium reduction targets.** As part of this, companies can advocate for a \$1,000,000 funding increase to FDA to aid the agency in assessing progress and working with industry on meeting the targets, which are to be achieved by industry in 2024. This was included in the FY23 House agriculture appropriations bill and is supported by CSPI, the American Heart Association, the American Public Health Association, and members of the food industry from the Sustainable Food Policy Alliance, which includes Danone North America, Mars, Incorporated, Nestlé USA,

and Unilever United States.⁶¹ Companies can also call on the FDA to set a timeline for establishing interim and long-term voluntary targets that will bring sodium in the food supply to safe levels. **(Pillars 2,3)**

- 8. Companies can support and implement the National Salt and Sugar Reduction Initiative's (NSSRI) voluntary sugar reduction targets for packaged food and drink.**⁶² The NSSRI, which is a partnership of local, state and national health organizations convened by the New York City Department of Health and Mental Hygiene, has created gradual, achievable, and meaningful targets for sugar reduction for fifteen packaged food and beverage categories. The targets were developed with industry input. **(Pillars 2,3)**
- 9. Companies can urge USDA to set stronger school meal nutrition standards.** Stronger standards that support kids' health and align with the *2020 Dietary Guidelines for Americans* are needed for sodium, whole grains, and added sugars. Further, non-nutritive sweeteners that pose a cancer risk (i.e., aspartame, ace-k, sucralose, and saccharine) and synthetic dyes that have been linked to neurobehavioral issues in children should be eliminated from foods made for schools. Companies can urge the administration to set robust, science-based standards and can commit to reformulating their products to support school food authorities in meeting these standards. The largest food companies that provide meals to schools could already meet stronger nutrition standards for sodium, whole grains, added sugars, and phase out non-nutritive sweeteners and synthetic dyes, according to our 2021 school meals report.⁶³ **(Pillars 1,2,3)**
- 10. Food and beverage companies can support increased consumer awareness and use of nutrition labeling.** Companies can advocate for increased funding to FDA to engage in consumer outreach. Specifically, companies can support \$6,000,000 to FDA to fund consumer-awareness education campaigns for the updated Nutrition Facts panel (\$3,000,000) and menu labeling (\$3,000,000). The House FY22 bill, but not the final FY22 omnibus, included \$3,000,000 toward this effort. This ask is supported by CSPI, the American Heart Association, the American Public Health Association, and members of the food industry from the Sustainable Food Policy Alliance, which includes Danone North America, Mars, Incorporated, Nestlé USA, and Unilever United States.⁶⁴ **(Pillars 2,3)**

Overarching Recommendations for Conducting the Conference:

- 1. Establish quantifiable goals to increase healthy eating, reduce nutrition insecurity, and reduce diet-related diseases.** As announced, the Conference calls for ending hunger and increasing healthy eating and physical activity by 2030 so that fewer Americans experience diet-related diseases like diabetes, obesity, and hypertension. These aspirations should be complemented by quantifiable goals for increasing healthy eating to reduce nutrition insecurity and diet-related diseases, as laid out in bipartisan legislation introduced by Senators Cory Booker (D-NJ) and Mike Braun (R-IN) and Representatives James P. McGovern (D-MA) and Jackie Walorski (R-IN) last year (S.3064/H.R.5724). That legislation ambitiously called for reducing by half the level of nutrition insecurity by 2025 and reducing by half that of diet-related diseases by 2030. The administration could also integrate and build on existing objectives from the Dietary Guidelines for Americans and Healthy People 2030 which includes a number of relevant goals: reduce consumption of added sugars, saturated fat, and sodium; increase consumption of fruits, vegetables, and whole grains; and reduce diet-related disease. We urge the Conference to establish aggressive and achievable goals and timelines, as well as metrics for assessing nutrition security. **(Pillars 1,2,3,5)**
- 2. Center food justice, health equity, and racial justice in the Conference design and outreach efforts.** Food system inequities that mediate access and affordability do not occur in a vacuum. Instead, they reflect long-standing effects of unmitigated structural and institutional racism. We recommend that food justice, health equity, and racial justice principles and strategies suffuse the content of the Conference and the ensuing strategic plan to ensure recommendations that promote equity form the foundation of the nation's new nutrition and food policy agenda. Members of the populations most burdened by food system inequities, including, but not limited to, Black, Indigenous, and Latine people, members of the LGBTQIA+ community, military families, U.S. territory residents, and people who have been formerly incarcerated, should be substantively engaged as subject matter experts in all aspects of the Conference and strategic report. We commend the Conference organizers for soliciting a diverse group of stakeholders with lived experience and expertise to inform the Conference. As the strategic plan is implemented, we further encourage centering food justice, health equity, racial justice, and community input, and suggest that this outreach continue. **(Pillars 1,2,3,4,5)**
- 3. Ensure transparency in the Conference planning process.** We recommend that the administration make public all the online submissions through the Conference portal, similar to the way public comments appear in regulations.gov, so that it is clear from whom the White House has heard. We also urge you to make available for public comment the proposed agenda for the Conference, as required in S.3064/H.R.5724. Following the regional listening sessions and Conference, we recommend you similarly post submitted comments and testimony. At the Conference, we recommend you post the in-person invitees and their affiliations and require public conflicts-of-interest statements for non-government Conference speakers. **(Pillars 1,2,3,4,5)**

CSPI stands ready to work with you to make these recommendations realities.

Please reach out to Jacob Multer (jmulter@cspinet.org) or Colin Schwartz (cschwartz@cspinet.org) with any questions.

Sincerely,



Peter Lurie, MD, MPH
President
Center for Science in the Public Interest

¹ CSPI, your food and health watchdog, envisions a healthy population with reduced impact and burden of preventable diseases and an equitable food system that makes healthy, sustainable food accessible to all. CSPI is one of the nation's oldest independent, science-based consumer advocacy organizations.

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