

Division of Dockets Management (HFA-305)
Food and Drug Administration
5630 Fishers Lane, rm. 1061
Rockville, MD 20851

Re: Docket FDA-2016-D-2335

January 26, 2017

Dear FDA,

On behalf of Oldways, a Massachusetts-based 501(c)3 educational non-profit dedicated to fostering good health through heritage, we are writing to offer comments on use of the “healthy” nutrient content claim for food labeling.

As outlined below, we suggest two possible approaches to FDA:

Option 1: We suggest you do not endorse the use of the word “healthy” at all, since overall diet determines health – not individual foods, and certainly not individual nutrients.

Option 2: Alternatively, we suggest you allow use of the word “healthy” only on whole or minimally-processed plant-based foods to encourage their increased consumption, in line with the 2015-2020 Dietary Guidelines for Americans.



Option 1: “Healthy” is more than individual nutrients

As the FDA updates “healthy,” Oldways recommends moving away from the outdated practice of tying “healthy” to a formula of nutrients divorced from actual foods. The 2015-2020 Dietary Guidelines for Americans specifically advise a turn away from nutrient-ism and reduction-ism, stating

“Previous editions of the Dietary Guidelines focused primarily on individual dietary components such as food groups and nutrients. However, people do not eat food groups and nutrients in isolation but rather in combination, and the totality of the diet forms an overall eating pattern.” [pg. xi]

As a general rule, foods explicitly labeled healthy generally are not. Foods like apples and broccoli don’t need that label. No matter what combination of nutrient criteria FDA might mandate as healthy, it’s inevitable that a reductionist approach will result in efforts to “game” the system with fortified manufactured foods, while some whole, natural foods may fail to qualify.

For instance, the “current thinking” outlined in FDA’s September 2016 guidance titled “Use of the Term “Healthy” in the labeling of Human Food Products” would, to our reading, still result in a food like brown rice not qualifying to be labeled healthy – while the highest fat hamburger meat commonly sold (70% lean/30% fat) would qualify, as would the bun typically eaten with it.

 <p>70% Lean/30% Fat Hamburger. Contains more unsaturated fats than saturated and trans fats; Contains \geq 10% iron and protein.</p> <p>Refined Bun. Enriched grain with a standard of identity, even though not whole grain.</p>	 <p>Brown Rice. Does not contain at least 10% of Vitamin A, C, or D, or iron, potassium, fiber or protein.</p> <p><i>All values from USDA National Nutrient Database SR 28</i></p>
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Option 2: If “Healthy” is Used, Focus on Plant Foods

If FDA *does* allow use of the word “healthy,” Oldways recommends using it to highlight whole or minimally processed plant foods, which are especially encouraged in the 2015-2020 Dietary Guidelines for Americans – instead of tying use of the word “healthy” to a formula of nutrients. These foods would include:

Fruits	Vegetable Oils (if mostly unsaturated)
Vegetables	Herbs and Spices
Legumes/pulses	Nuts
Whole Grains	Seeds

These foods could be labeled as healthy when they meet these criteria:

- when sold as single-ingredient foods or with only water added
- when sold in any form (fresh, dried, canned, frozen, etc.)
- when sold as combinations of qualifying single-ingredient foods (such as a soup mix of dried beans, whole grains and spices)
- when sold with small amounts of salt (qualifying as low sodium or very low sodium)
- when sold with no added sugar

Singling out plant-based foods is not an attempt to say that these are the only foods that should be eaten, but simply to recognize that most Americans would benefit from a constant reminder to eat more plant-based whole foods, whatever other choices they are making in their diets.

Overall this approach would

- Encourage Americans to move their diets into greater alignment with the 2015-2020 Dietary Guidelines for Americans
- Help them understand the importance of basing their overall diet on whole, natural foods as the “healthiest of the healthy”
- Encourage manufacturers to develop and market more whole foods in convenient and appealing forms.

We appreciate the opportunity to comment on this important issue.

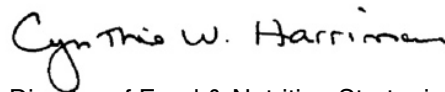
Best regards,

Sara Baer-Sinnott



President

Cynthia W. Harriman



Director of Food & Nutrition Strategies

Kelly Toups, MLA, RD, LDN



Program Director