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March 27, 2023

Dr. Robert Califf  
Commissioner  
Food and Drug Administration  
5630 Fishers Lane, Rm. 1061  
Rockville, MD 20852

**Re: Docket No. FDA-2023-N-0155, “Agency Information Collection Activities; Proposed Collection; Comment Request; Quantitative Research on Front of Package Labeling on Packaged Foods”**

Dear Commissioner Califf,

Sustainable Food Policy Alliance (SFPA) member companies Danone North America, Mars, Incorporated, Nestlé USA and Unilever United States appreciate the opportunity to review and comment on the Food and Drug Administration (FDA) information collection associated with a proposed information collection entitled “Quantitative Research on Front of Package Labeling on Packaged Foods.”

We recognize our responsibility to drive positive change for the people who use our products, the people who produce them, the communities in which we operate, and the planet on which we all rely. As part of this mission, SFPA supports a process to create an effective, science-based FOPL standard that will empower consumers to make healthy choices.

With that in mind, we welcome the opportunity to share relevant insights from qualitative focus groups, questionnaires and other conclusions from our work with FOPL systems, and look forward to working with the agency to develop a practical and implementable standard that is also effective for consumers.

Our comments below focus on the information collection request’s question 3, *“Ways to enhance the quality, utility, and clarity of the information to be collected.”*

Comprehensive consumer research must serve as the foundation for federal nutrition efforts. We appreciate that FDA is undertaking this effort and hope that the agency will move forward with the utmost transparency as it develops the specific labels, formats, and questions it plans to present to respondents as well as the details of how that information will be weighed and potentially used in the development of a U.S. FOPL system.

As FDA is developing the final study methodology and information collection efforts, SFPA recommends the following:

- **Ensure the schemes presented to participants reflect the latest science.** FDA should update its 2018 literature review with any more recent studies from countries that have implemented FOPL. FDA should review results of reputable studies on the long-term impacts and utility of FOPL schemes to guide its study and use of data, not just on studies carried out within a few months of implementation of a FOPL scheme.
- **Include a Guideline Daily Amount (GDA)-style scheme without interpretive elements** in the test to help understand the limitations, if any, of fact-based FOPL schemes currently used by many manufacturers to act as a control. Facts Up Front is already widely implemented voluntarily, and any other scheme should be able to demonstrate a clear benefit above this already widely used and recognized front-of-pack nutrition labeling approach.
- **Test labels for a range of products, packaging sizes, and nutrient profiles,** including some that are inherently known to be higher in sugar, sodium and/or saturated fat as well as foods the Agency would encourage consumers to consume.
- **Identify key metrics for success on label effectiveness** prior to conducting the study, including how product perception, label perceptions, and nutritional qualities questions will be presented to the respondents.
- **Include data on key demographics** such as racial and ethnic minority groups, those with lower socioeconomic status, those living in rural areas, and parents (of minor-aged children) and nonparents to improve understanding of behavior changes across various demographic groups.
- **Disclose primary and secondary outcomes** to provide clarity on its practical utility for FDA’s efforts. FDA should evaluate the reliability of consumers answers versus real life consumer behavior by considering the statistical significance of the study.



As food companies that reach millions of consumers each day, we have knowledge and expertise that can be helpful to FDA as it moves forward with this process. SFPA welcomes opportunities to use our reach and experience in ways that create shared value for consumers, government, and our companies on the path towards improved public health.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Adamo".

Chris Adamo  
Vice President  
Federal and Industry Affairs  
Danone North America, PBC

A handwritten signature in blue ink, appearing to read "Peter Rowan".

Peter Rowan  
Vice President  
U.S. Public Affairs  
Mars, Incorporated

A handwritten signature in blue ink, appearing to read "Molly Fogarty".

Molly Fogarty  
Senior Vice President  
Corporate & Government Affairs, U.S.  
Nestlé USA

A handwritten signature in blue ink, appearing to read "Tom Langan".

Tom Langan  
North America Director  
Sustainable Business & External Affairs  
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