



NEWS RELEASE

440 1st St. NW, Ste. 520,
Washington, D.C. 20001
(202) 223-0101, Fax (202) 223-0250
NPAnational.org

For Immediate Release
January 4, 2019

Contact: Justin Bartolomeo
202-789-4365
jbartolomeo@hdmk.org

New Food Labeling Guidance Provides Nothing Useful for Dietary Supplement Manufacturers and Labelers

WASHINGTON, D.C. – The Natural Products Association in comments today to the Food and Drug Administration (FDA) questioned why the Agency’s draft guidance for food labeling serving sizes does not provide examples for dietary supplements.

“This guidance is at odds with President Trump’s commitment to streamlining federal regulations. The guidance looks like it was composed by the Office of Nutrition and Food Labeling without input from the Office of Dietary Supplements. The final food labeling rules apply to both conventional food and dietary supplements, and the draft guidance should as well. Consumers expect the products they use every day to be accurately and clearly labeled. NPA looks forward to working with the FDA to produce clear, streamlined labeling requirements for consumers,” said Daniel Fabricant, Ph.D., President and CEO of NPA.

There are subtle but very important differences between the way serving sizes are labeled for dietary supplements and conventional foods. For example, serving sizes for dietary supplements are based upon a maximum amount consumed per eating occasion as taken from suggested use on product labels while the serving size for conventional foods is based on the amount of food typically eaten in one sitting for that food. The FDA also fails to reference their 2014 liquid guidance when it discusses “beverages,” a conventional food term, and does not address serving size examples for liquid supplements.

NPA took issue with several categories of food labeling:

New Food Labeling Draft Guidance Fails to Provide Examples for Dietary Supplements: Examples are an excellent way to provide guidance to industry, but FDA fails to include any examples here for dietary supplement products carrying Supplement facts labels. Therefore, the draft guidance provides no useful guidance to dietary supplement manufacturers and labelers.

The Draft Guidance Provides No Labeling Guidance to Industry for Dietary Supplement Chewing Gums: In the draft guidance, FDA only provides an example for chewing gums with conventional food Nutrition Facts labels and neglects to provide guidance for dietary supplement chewing gums with Supplement Facts labels. If FDA believes chewing gums should only be labeled with Nutrition Facts labels, it would appear to be at odds with guidelines promulgated by another federal agency (USDA).

Labeling Guidance on Principal Display Panel is at Odds with Other Non-Binding FDA Documents: FDA's draft guidance fails to acknowledge the 2013 Food Labeling Guide, which considers the bottom 30% of a package to be the bottom of the Principal Display Panel.

References to Beverages in the Draft Guidance Should be Described as Conventional Foods with Nutrition Facts Labels so as Not to Confuse with Liquid Dietary Supplement Products Bearing Supplement Facts Labels: The draft guidance contains examples where beverages are discussed. FDA has developed a liquid guidance where it distinguishes beverages from liquid supplements as conventional foods. Therefore, this draft guidance should delineate those conventional food Nutrition Facts examples where it discusses "beverages" so that it does not confuse guidance to manufacturers and labelers of liquid supplements bearing a Supplement Facts label. Without this distinction in use of the term beverage for conventional foods, the draft guidance does not provide clarity when a liquid dietary supplement is involved. In fact, there is no draft guidance for liquid dietary supplements. If FDA decides to include dietary supplements in this guidance, it should release an entirely new draft guidance for public notice and comment before going to finalized guidance.

Natural Products Association

The **Natural Products Association (NPA)** is *the* trade association representing the entire natural products industry. We advocate for our members who supply, manufacture and sell natural ingredients or products for consumers. The Natural Products Association promotes good manufacturing practices as part of the growth and success of the industry. Founded in 1936, NPA represents approximately 1,000 members accounting for more than 10,000 locations of retailers, manufacturers, wholesalers and distributors of natural products, including foods, dietary supplements and health/beauty aids.

Natural Products Association: 440 1st Street, NW, Ste. 520, Washington, DC, 20001

###