



June 16, 2020

Dr. Susan T. Mayne  
Director, Center for Food Safety and Applied Nutrition  
U.S. Food and Drug Administration  
10903 New Hampshire Avenue  
Silver Spring, MD 20993

By Email: [susan.mayne@fda.hhs.gov](mailto:susan.mayne@fda.hhs.gov)

Dear Dr. Mayne:

We are writing to urge FDA to grant a recently filed citizens' petition to prohibit misleading labeling of alternative sweeteners in processed foods and beverages, FDA-2020-P-1478. The petition raises concerns that coincide with those of consumer protection organizations and supports FDA's commitment to greater transparency in food labeling as part of the agency's nutrition innovation strategy.

As the citizens' petition points out, consumers are faced with a lack of transparency in the labeling of alternative sweeteners and sugar claims on foods and beverage labels. Many sweeteners are not clearly identified on the food label. Others are disclosed using names unfamiliar to consumers. These substances include novel ingredients not traditionally found in foods, sugar alcohols associated with potentially undesirable health effects (including xylitol, which can be fatal to dogs), and unwanted artificial substances that raise particular concerns in the diets of children.

For example, some manufacturers have begun using ingredients like Luo Han Guo or Acesulfame Potassium without identifying them as sweeteners on the ingredient label. FDA needs to take action to ensure that such ingredients are fully and accurately disclosed as sweeteners on the food label so that consumers can make informed purchasing decisions.

Furthermore, we agree that manufacturers named in the citizens' petition in some instances make misleading claims about the added sugars content of their products. For example, the petition identifies a leading brand of peanut butter that has been reformulated to have less sugar than the company's regular product. But the reformulated version has more calories per serving than the traditional version. In another instance, a manufacturer attempts to justify a lower sugar claim for its fruit snacks by shrinking the portion size of the lower sugar variety of its regular product.

The deceptive claims practices identified in the citizens' petition are, in part, a predictable consequence of FDA's efforts to require the disclosure of added sugars content on the Nutrition Facts label.

We support FDA's decision to include "Added Sugars" on the Nutrition Facts label, as well as the establishment of a Daily Value of 50 grams of added sugars based on a 2,000 calorie daily diet.

However, the agency's decision to include "Added Sugars" on the Nutrition Facts label has also created a marketing incentive for food and beverage manufacturers to replace added sugars with alternative sweeteners. As the citizens' petition points out, consumers may want to follow FDA's advice and reduce their consumption of added sugars, but don't realize that they may be unknowingly increasing their ingestion of novel sweeteners, sugar alcohols, and artificial substances.

FDA has received a letter from the Center for Science in the Public Interest (CSPI) requesting that the agency set standards for nutrient content claims for added sugars. The citizens' petition builds on that request by urging FDA to provide clearer ingredient labeling of alternative sweeteners and by requiring disclosures of potential negative health effects of sugar alcohols and the amounts of artificial sweeteners in foods and beverages.

The lack of clear ingredient labeling, the failure to require disclosure of key health-related information, and the increasing prevalence of egregiously misleading claims, all hamper efforts by advocacy organizations to help consumers improve their diets.

We urge FDA to grant the citizens' petition and to move forward on CSPI's labeling request. By taking the enforcement actions set out in the petition, FDA can ensure that its addition of "Added Sugars" to the Nutrition Facts label does not have the unintended result of permitting food and beverage manufacturers to deceive well-meaning consumers who are trying to make healthy food purchasing decisions as they shop for their families.

We would be pleased to meet with you to further discuss this matter. Thank you for consideration of our views.

Sincerely,

A handwritten signature in black ink, appearing to read "Sally Greenberg". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Sally Greenberg  
Executive Director  
National Consumers League