

Congress of the United States
Washington, DC 20515

June 8, 2018

The Honorable Scott Gottlieb, M.D.
Commissioner
Food and Drug Administration
10903 New Hampshire Avenue
Silver Spring, MD 20993

Re: Docket ID: FDA-2018-D-0075

Dear Commissioner Gottlieb:

We write today regarding the U.S. Food and Drug Administration's (FDA) proposed changes to the Nutrition Facts Label. While we support FDA's effort to ensure the label remains scientifically valid and helpful to consumers, we are concerned about the misleading impression that an "added sugars" disclosure on single ingredient maple and honey products would create. As FDA finalizes its changes to the label, we ask that you exempt these products from any new "added sugars" disclosure requirements.

As you know, the Nutrition Facts label has not been meaningfully updated in decades. We commend the FDA for its effort to revamp this label and fully support this undertaking. By incorporating the latest evidence-based information on nutrient, fat, and caloric content, the updated Nutrition Facts label will help consumers make more informed, healthy dietary choices.

As part of this effort, we understand that the FDA plans to require an "added sugars" disclosure for most products. While this label will provide consumers with a greater understanding of the types and sources of sugar they are consuming, we are concerned about the misleading impression this requirement would create for single ingredient maple and honey products.

The presence of an "added sugars" label may lead consumers to believe that maple syrup and honey are no longer pure products, undermining decades of education and marketing while negatively impacting sales. An "added sugars" declaration on single ingredient maple and honey products may signal to consumers that these pure products – such as a bottle of maple syrup or jar of honey – actually contain added sweeteners such as table sugar or high-fructose corn syrup. This is patently false. Moreover, this requirement could set back years of consumer-focused education aimed at highlighting the pure aspect of these products and guarding against adulterated brands.

We appreciate FDA's recognition of this issue and willingness to consider alternative labeling options for these products. Although the FDA's March 2, 2018 Draft Guidance would allow manufacturers to add a symbol immediately after the added sugars daily value directing consumers to clarifying language elsewhere on the label, this approach seems unlikely to reduce consumer confusion. The simplest, most commonsense solution to this issue would be to exempt single ingredient maple and honey products from the added sugars disclosure requirement because they do not, in fact, contain any added sugars.

Additionally, we appreciate FDA's April 13, 2018 decision to extend the Draft Guidance comment period by 45 days. As you know, maple producers across the country are in the midst of sugaring season and beekeepers have just finished pollination season. This has left little time for them to weigh in on FDA's proposal. Further, the honey industry is currently undertaking an effort to study the impact of the guidance on consumer perception and will not have that ready by May. Extending the comment period deadline to June 15, 2018 will provide producers with the time necessary to submit meaningful feedback.

By exempting maple and honey from an "added sugars" disclosure, FDA is well positioned to support these industries while reducing consumer confusion. We look forward to working with you on this matter.

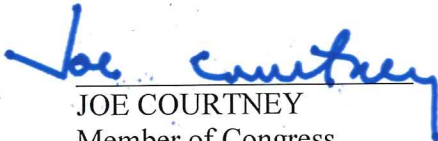
Sincerely,



PETER WELCH
Member of Congress



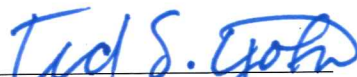
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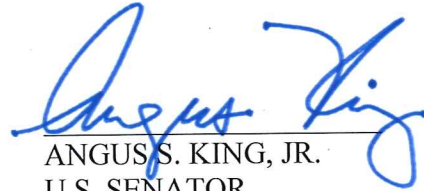
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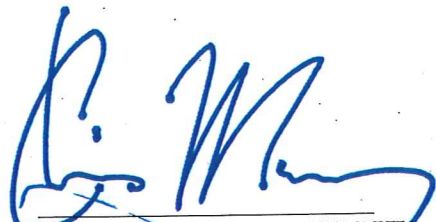
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Member of Congress



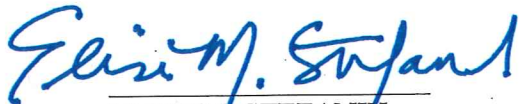
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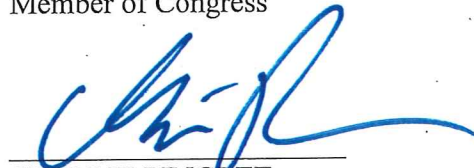
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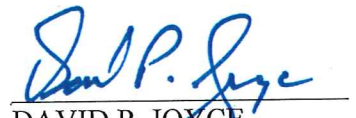
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