

GMA/FPA Abstract  
FDA Public Hearing on Functional Foods

December 5, 2006

Docket No. 2002P-0122

Abstract of oral remarks to be presented by Patricia Verduin, Ph.D., Senior Vice President and Chief Science Officer, Grocery Manufacturers Association/Food Products Association.

Abstract

With respect to the questions raised by FDA for the December 5 public hearing, the Grocery Manufacturers Association/Food Products Association (GMA/FPA) would like to state our primary positions:

- All conventional foods and beverages (foods) are “functional,” have functional ingredients, and can bear applicable, substantiated functional claims (health or structure-function claims).
- FDA and the food industry have shared responsibility for the safety of food ingredients and substantiation of claims, and GMA/FPA is committed to meeting those responsibilities and is willing to further explore this area with the Agency.
- Consumers will be best served by robust enforcement of existing provisions governing the safety of ingredients and the substantiation of claims.
- The 2003 document, *NFPA Guidance for Making Structure-Function Claims on Foods*, provides industry perspective and complements FDA’s existing legal authority, regulations, and guidance for industry.
- There is no legal or scientific justification for creating a special category of so-named “functional foods.” All foods affect the structure or function of the body.
- The current statutory and regulatory system of the FDA and the FTC is well equipped to ensure the continued safety of the U.S. food supply, thus there is no need for a separate system to establish safety of “functional” ingredients.
- The existing regulatory framework addresses structure-function claims for foods; there is no need for a separate system to establish the validity of structure-functional claims.
- Claims should be substantiated and supported by competent and reliable scientific evidence that forms a reasonable basis for the claim, and should not be restricted to a narrow and arbitrarily defined subset of foods. Including well substantiated claims concerning the nutrition and health benefits of food consumption in food labeling can play an important role in promoting public health by encouraging dietary patterns that can help promote health and wellness, and reduce the risk of certain diseases.