



NATIONAL DAIRY COUNCIL®

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June 20, 2005

Division of Dockets Management (HFA-305)
Food and Drug Administration
Room 1061
5630 Fishers Lane
Rockville, MD 20852

RE: Docket No. 2004N-0456; Food Labeling: Serving Sizes of Products That Can Reasonably Be Consumed At One Eating Occasion; Updating of Reference Amounts Customarily Consumed; Approaches for Recommending Smaller Portion Sizes

Dear Sir or Madam:

The National Dairy Council (NDC) is an organization that initiates and administers nutrition research, develops nutrition programs, and provides information on nutrition to health professionals and others concerned about good nutrition. The NATIONAL DAIRY COUNCIL® has been a leader in nutrition research and education since 1915. Through its affiliated Dairy Council units, NATIONAL DAIRY COUNCIL® is recognized throughout the nation as a leader in nutrition research and education.

NDC commends the agency for opening the dialog on questions related to reexamining regulations on serving sizes. NDC appreciates the agency's efforts to address the obesity issue by exploring the use of the food label as an educational tool to help consumers manage calories in their diet and to better address obesity in the U.S. NDC and its state and regional affiliates have a long history of promoting the Nutrition Facts Panel (NFP) as an educational tool for healthy eating and to increase nutrient dense and calorie reduced food choices such as reduced fat, low-fat and fat-free milk and other dairy products.

NDC wishes to point out that after a review of the research on the relationship between portion size and energy intake, the 2005 Dietary Guidelines Advisory Committee concluded that [1]:

- The amount of food offered to a person influences how much he or she eats, and
- In general, more calories are consumed when a large portion is served rather than a small one.
- Steps are warranted for consumers to limit the portion size they take or serve to others, especially for foods that are energy dense
- Overall, the evidence supports the conclusion that servings that are too large may be part of the "obesogenic" environment, inasmuch as they facilitate excess consumption of energy.

2004N-0456

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These data support the notion that serving size has important implications for influencing caloric intake and underscores the need for an evidenced based approach when considering revisions to the standard Reference Amounts Customarily Consumed (RACC) serving sizes and alternative ways for using serving sizes to educate consumers about ways to improve eating habits.

NDC submits the following comments on selected areas of the docket referenced above.

1. Updating the RACCS

The current Nutrition Facts Panel (NFP) that appears on food labels was conceived as an important public health tool to help consumers make healthier food choices in order to reduce diet-related disease. Additionally, the USDA/HHS Dietary Guidelines for Americans (DGA), the Food Guidance System of MyPyramid.gov have similar goals health related goals as the NFP. However, the standard serving sizes used by the USDA/HHS and the NFP are, in many cases, different and have been a source of confusion for consumers in understanding the servings necessary to achieve nutrition recommendations. Thus, it is apparent that consumer's do not understand the differences between servings on food labels and servings recommended in dietary guidance. NDC has commented publicly during the DGA revision process as well as to FDA and the Obesity Working Group that there is a need to harmonize educational information such as serving sizes in their respective programs to better serve the American consumer.

NDC calls on the FDA to explore ways to harmonize serving sizes used for dietary guidance in the HHS/USDA programs and serving sizes used on the NFP. NDC suggest that for those foods that are part of the food groups recommended in MyPyramid, that the current RACCS used on the NFP (e.g. milk, 1 cup) be connect to MyPryamid with an appropriate statement (e.g. 1 cup milk – Equals 1 recommended dairy serving). In addition, the RACC serving declared in the NFP would contain an asterisk that refers the consumer to a list provided on the NFP of the MyPyramid food groups and their recommended servings based on a 2000 calorie diet along with directions to the MyPyramid website address (see below).

Suggested amounts for 2,000 calorie diet;

6.5 oz-eq grains	3 cups milk
2.5 cups vegetables	5.5 oz-eq meat and beans
2 cups fruits	6 tsp oils

See www.MyPyramid.gov for more individualized information.

This approach links common household measures that consumers understand and purchase to the amount and types of food they should eat.

2. Single-Serving Container

With respect to FDAs question about whether food products that can reasonably be consumed in one eating occasion should be required to provide nutrition information on an **entire package basis only**, NDC is concerned that this may signal to consumers that the larger serving size is the recommended amount to consume. This may have the opposite effects from what is intended and result in over consumption of the product. A more appropriate and informative approach may be to have products that can be consumed in one eating occasion provide both the “Servings Per Package” and “Calories Per Package” in close proximity on the NFP. NDC suggests that consumer research be conducted to verify that consumers understand the meaning and

implication of ‘Calories Per Package’ relative to ‘Servings Per Package’ before promulgating rulemaking. Additionally, more consumer research is needed to understand if and how consumers use the NFP to make food choices that may influence obesity.

Should the current cutoff criteria to define single-serving containers be changed? Should criteria vary for different types of products?

Suggestions cited above for providing ‘Calories Per Package’ and ‘Servings Per Package’ may help alleviate this issue. The educational mandate of the NFP to improve consumer’s ability to make healthier food choices and to reduce diet-related disease implies that it is more important to convey servings based on the amounts and types of foods that should be consumed rather than what people are currently consuming.

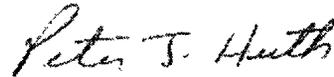
For more than 85 years, the National Dairy Council has worked to advance the state of scientific knowledge on the role and value of dairy foods in promoting and enhancing human nutrition and health. We look forward to playing an active role in the public process, and to assisting FDA in any way possible to achieve results that will benefit the health and well-being of all Americans.

Thank you for the opportunity to comment on these important issues.

Sincerely,



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REFERENCES

1. *2005 Dietary Guidelines Advisory Committee Report*. Part D, Section 2: Energy. www.health.gov/dietaryguidelines.org