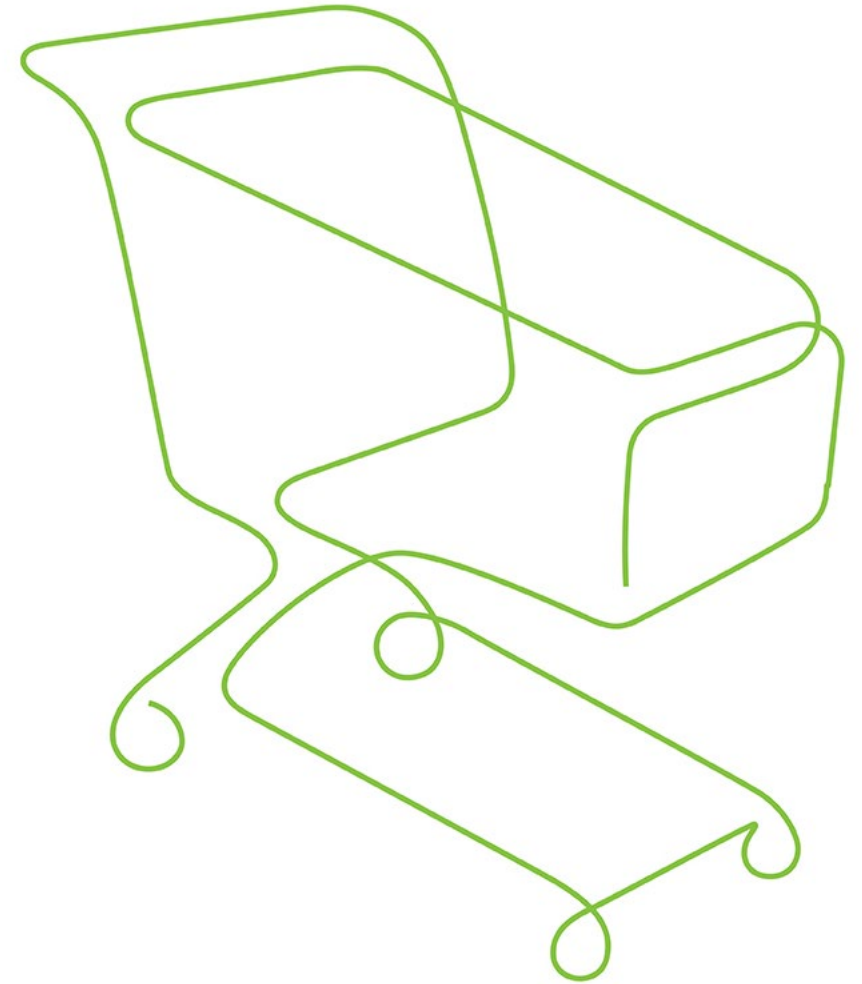




THE FOOD INDUSTRY ASSOCIATION

FMI FOOD PROTECTION COMMITTEE

January 28, 2025
Tuesday



FMI believes strongly in competition. Our antitrust laws are the rules under which our competitive system operates. It is FMI's policy to comply in all respects with the antitrust laws.

Association meetings or workshops by their very nature bring competitors or potential competitors together. It is expected that all member representatives involved in FMI activities, as well as FMI consultants and other participants, will be sensitive to the legal issues and act in compliance with applicable antitrust and competition laws both at FMI meetings and FMI-sponsored events.

Accordingly, it is necessary to avoid discussions of sensitive topics that can create antitrust concerns. Agreements to fix prices, to allocate markets, to engage in product boycotts, to refuse to deal with third parties, and to fix employee wages or to agree not hire one another's employees can be illegal under the antitrust laws. At any association meeting, discussions of prices (including elements of prices such as allowances and credit terms), employee compensation, quality ratings of suppliers, and discussions that may cause a competitor to cease purchasing from a particular supplier, selling to a particular customer, or competing to hire employees should be avoided. Also, there should be no discussion that might be interpreted as a dividing up of territories.

An antitrust violation does not require proof of a formal agreement. Discussion of a sensitive topic, such as price, followed by action by those involved or present at the discussion, may be enough to show a price fixing conspiracy. As a result, those attending an association-sponsored meeting should remember the importance of avoiding not only unlawful activities, but even the appearance of unlawful activity.

Allegations of wrongdoing can pose financial and reputational risk, and violations of the antitrust laws can have serious consequences, for FMI, individual companies, and their employees. Antitrust investigations and litigation are lengthy, complex, and disruptive. The Sherman Act is a criminal statute and may even result in penalties punishable by steep fines and imprisonment. The Justice Department, the Federal Trade Commission, state attorneys general and any person or company injured by a violation of the antitrust laws may bring an action for three times the amount of the damages, plus in some cases, attorney's fees.



Introductions



Name

Company

Time on Food Protection Committee

Staff Updates - FMI Food Safety Team



Ashley Eisenbeiser, VP Food and Product Safety Programs

Adriana Alfaro, Manager of Food Safety and Technical Services

Shelby Hollenbeck, Director Food and Product Safety

Jessica Badour, Manager of Food Safety Training Programs

Imogen Angel, Assistant, Food Safety/H&W/Foundation

Agenda today



Morning

2025 Initiatives

Date Labeling Discussion

Afternoon

Scientific Policy Discussion

Initiatives

Presentation from Ecolab – 4:15 PM

Bus to dinner and boat cruise – 5:30 PM

Dinner



Bus – 5:30 PM

Boat cruise on the Marco Princess

Bus – back to hotel at 9:30 PM

2024 Annual Report



<https://fmiannualreport2024.my.canva.site/>

<https://fmiannualreport2024.my.canva.site/food-safety>

<https://fmiannualreport2024.my.canva.site/sqfi>

Current Regulatory/Legislative Landscape



High Profile Recalls with Outbreaks



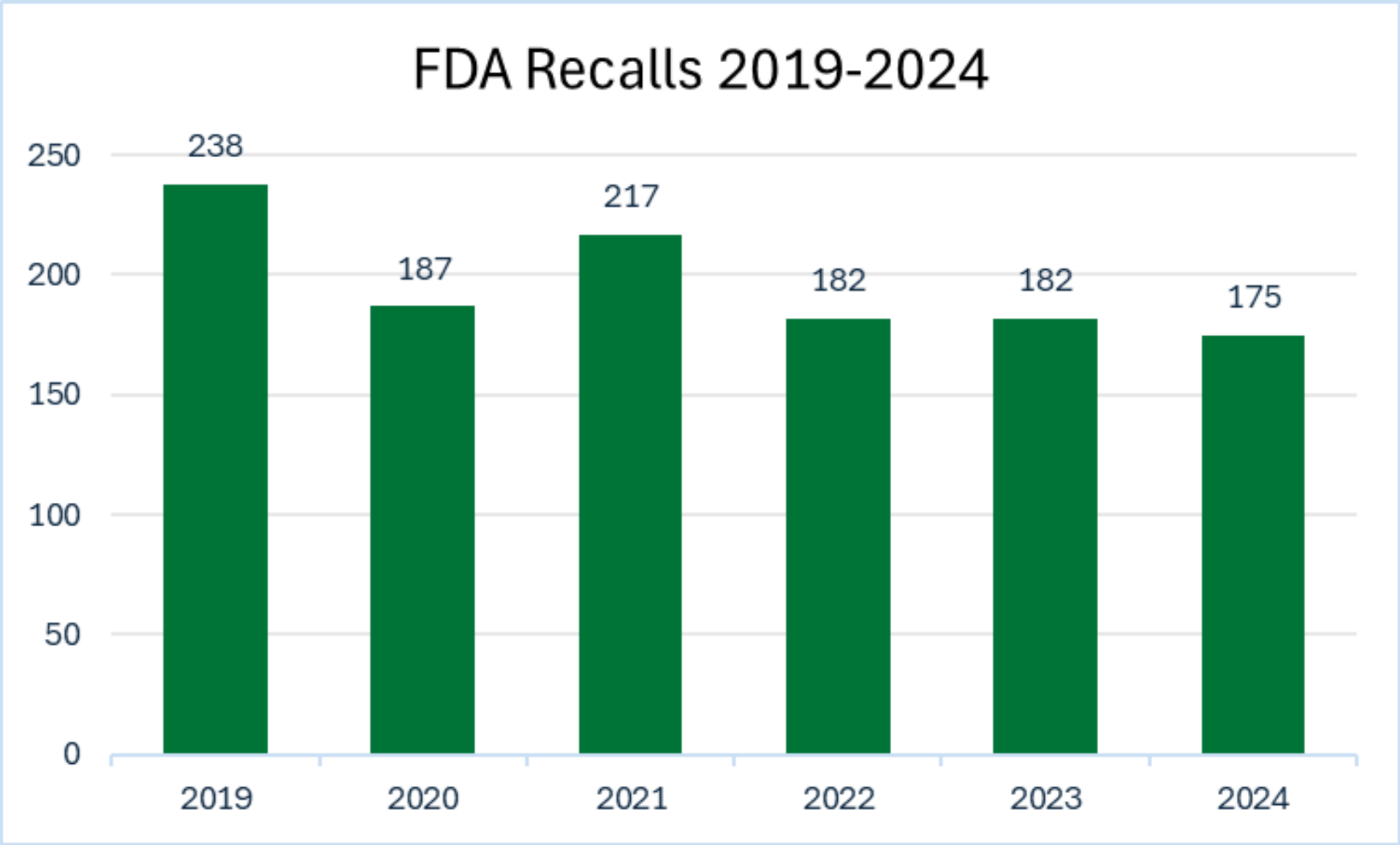
Month	Contaminated Food	Pathogen	Illnesses
January	Charcuterie Meats	<i>Salmonella</i>	104
April	Organic Walnuts	<i>E. coli</i> O157	13
June	Cucumbers	<i>Salmonella</i> Africana	551
September	Eggs	<i>Salmonella</i> Enteritidis	93
October	Onions	<i>E. coli</i> O157:H7	104
October	Meats Sliced at Delis	<i>Listeria monocytogenes</i>	61
December	Ready-to-Eat Meat and Poultry Products	<i>Listeria monocytogenes</i>	19
February	Raw Cheddar Cheese	<i>E. coli</i> O157	11
February	Queso Fresco and Cotija Cheese	<i>Listeria monocytogenes</i>	26
November	Cucumbers	<i>Salmonella</i> Typhimurium	113
November	Organic Carrots	<i>E. coli</i> O121	48

High Profile Recalls with No Recalls

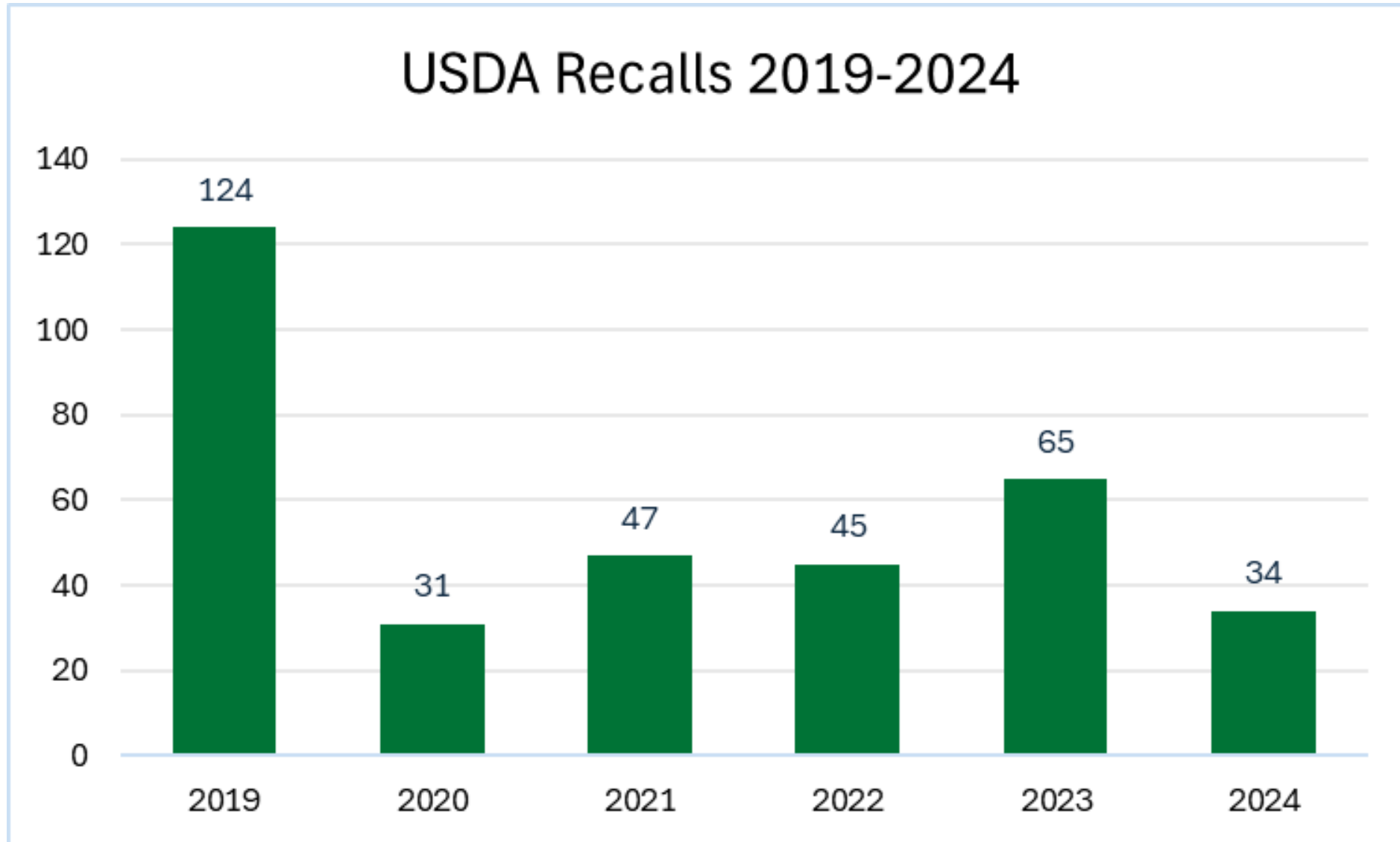


Month	Product	Reason
March	Ground Cinnamon	Potential Metal Contaminant – Lead
March	Ground Cinnamon	Elevated Lead
June	Ground Cinnamon	Potential Metal Contaminant – Lead
October	Frozen Waffle Products	Listeria monocytogenes
August	Ground Cinnamon	Elevated Lead
August	Ground Cinnamon	Potential Metal Contaminant – Lead
January	Granola Bars and Granola Cereals	Salmonella
November	Ground Cinnamon	Potential Metal Contaminant – Lead
November	Organic Eggs	Salmonella

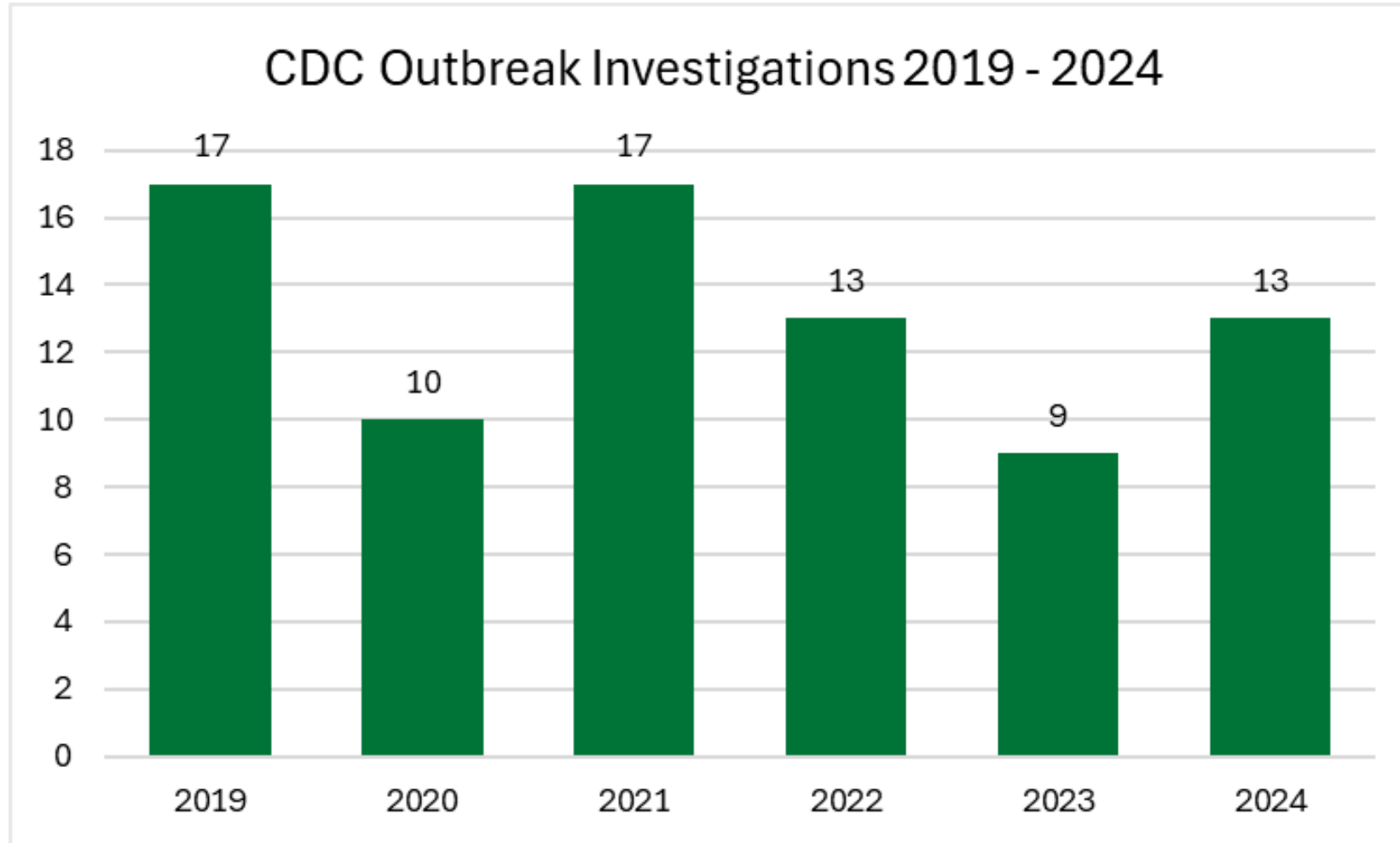
FDA Recalls



USDA Recalls



CDC Outbreak Investigations



Leafy Green Outbreaks



Year	Product	Pathogen	Illness totals	Targeted growing area	Dates
2024	Romaine Lettuce	E. coli O157:H7	88		December 2024
2024	Spinach	E. coli O157:H7	28		August 2024
2024	Bagged Salad Mix	Listeria monocytogenes	2		May 2024
2023	Leafy Greens	Listeria monocytogenes	19		February 2023
2021	Power Greens Packaged Salads	E. coli O157:H7	10	Yuma, Arizona; Salinas, California	November - December 2021
2021	Fresh Express Packaged Salads	Listeria monocytogenes	10		July 2016 - October 2021
2021	Dole Packaged Salads	Listeria monocytogenes	18	California, Yuma, Arizona	August 2014- January 2022
2021	Baby Spinach	E. coli O157:H7	15	California, Oregon	October- November 2021
2021	Prepackaged Salads	Salmonella Typhimurium	31	Rochelle, Illinois	June - August 2021
2020	Leafy Greens	E. coli O157:H7	40	Salinas, California	August - October 2020
2020	Bagged Salad Mix	Cyclospora	701	Florida	May - July 2020
2019	Romaine Lettuce	E. coli O157:H7	167	Salinas, California	September - December 2019
2019	Salad Kits	E. coli O157:H7	10		November 2019
2018	Romaine Lettuce	E. coli O157:H7	62	Santa Maria, California	October - December 2018
2018	Romaine Lettuce	E. coli O157:H7	210	Yuma, Arizona	March - April 2018
2018	Salad Mix	Cyclospora			
2017	Leafy Greens	E. coli O157:H7	25		November - December 2017
2016	Packaged Salads	Listeria monocytogenes	19	processed in Springfield, Ohio	July 2015 - January 2016

2025 Initiatives



- Traceability
- Produce Safety
- Chemical Safety
- Registered Food Facility Sanitation/EMP
 - Manufactured food processing sanitation
 - Best practices
 - Verify implementation

Registered Food Facility and USDA Establishment Sanitation/EMP

- Manufactured food processing sanitation

- Verify implementation

- Validation of sanitation preventive controls

- Verification of that hazards are controlled

- Focus on Hazard Analysis and preventive controls

- EM for post processing exposure/post lethality

- Seek and destroy – regulatory concerns – different approaches to seek and destroy

Produce Safety



Recommendations for purchase specifications to protect public health

Change strategy

- possibly focus on Arizona instead of CA

- NASDA –possible role

Need new model

Role of standards and audits – what is the next level of standard

Focus on the technical requirements

Leafy Greens, Onions, cucumbers, carrots

Possible non-GFSI (SQF Technical support)

- water, animals (proximity and number), soil amendments and harvest equipment,

Chemicals



Presence and dose

Naturally occurring contaminants – never reach zero

What is reasonable

ALARA – As low as reasonably achievable

Heavy metals – C2Z

International standards implications

Chemical hazard analysis

Regional variation

Understanding, awareness, detection,

Break

Date Labeling



Questions from FDA/FSIS
Docket

Operational issues CA AB660

FDA/FSIS RFI On Food Date Labeling



(1) Which products contain date labels, and which do not? Why do some products contain date labels and others do not?

a. Question for Members: Do any of your food products not have date labels? If so, why have you refrained from using date labels? Please provide specific examples.

(2) What standards or criteria do manufacturers and producers consider when deciding which food date label phrase to use? Are different phrases used for different products or categories of products, and if so, why? Are there legal or trade requirements or marketing standards that impact which phrases are used (i.e., local or state requirements, industry best practice standards, etc.)? If so, please describe.

a. Question for Members: We are seeking additional information and examples of how companies make a determination between “BEST if Used By” and “USE by” and the factors they consider. Please provide rationale of why you use either or both of these phrases.

b. Question for Members: Do you use date labels other than the “BEST if Used by” and “USE by” scheme? If so, please provide your rationale and examples.

(3) What standards or criteria do manufacturers and producers consider when deciding what date to use?

a. Question for Members: We are seeking additional information and examples on the process companies use to determine the date that goes along with the “BEST if Used by”, “USE by”, or other labels.

notes



Fresh departments –

Food safety date vs quality date

Consumer perception of use by date?

Clarity is needed at retail – operational execution of inventory management

Can retailers put a code for a pull date?

Perception of freshness based on date

Consumers will see the best before date, retailer will pull on a coded date

Date marking for in store items

Changes to scale label programming and formatting

Lack of clarity about what gets a best before date and what gets a use by date? - what language and what date?

Date to pull product and time for consumer to use

Intention of the date labeling terms and messages to consumer

Lack of consistency – messages to consumers

Consumer surveys –

Consumer education is needed

Differences in terms used – does that impact consumer behavior?

Use case – “use by” for TCS items subject to date marking

Use by for in store packaged

What is customer experience? - deterioration in quality prior to date on package

Consumer data – food waste

Quantify food waste – how much is from in store prepared?

Who decides on the date? Shelf life testing? Estimate?

Ask FDA and FSIS to do an updated consumer study

Printer variation – characters, space,

What is difference between best before an use by? Do consumers perceive these as different end points?

Federal approach better than states doing their own legislation

What does “food product” mean in the RFI?

Packaged products different than in store prepared

International regulations – consumers shop differently in different countries – frequency, type of food, etc

Need simple regulation – prefer federal regulation with preemption

Risk reduction based on use by dates

packaged salads, sliced deli meats, cut fruit, items containing these items (salads and sandwiches made at retail)

“use by (3 days) when held below 40 F”

FDA/FSIS RFI On Food Date Labeling



4. Would a particular product have a different date depending on the phrase used (*e.g.*, would the date be the same or different if the phrase were “Best if Used By” versus “Use By” or “Freeze By”)? If so, please explain.

5. What challenges or limitations do food manufacturers have when establishing or changing food date labels?

6. Are there costs associated with changing the date label phrase or date used in addition to the costs associated with any label change? If so, please explain what those are. What data are available on the use of certain food date label phrases and cost to manufacturers, retailers, or consumers?

(7) How do grocery retailers determine that a food item is no longer sellable? Do the considerations differ depending on the food item? Do the considerations take into account the phrase and/or date on the label, and if so, how?

FDA/FSIS RFI On Food Date Labeling



8. What studies or data are available on consumer understanding of current date labeling on food that FSIS and FDA regulate, and why are these studies or data important for FSIS and FDA to consider? Are there data and studies that demonstrate that consumers are confused by date labels and believe the dates determine whether food is safe? Are there any available studies or data on whether and how consumers consider food date labels when grocery shopping or when deciding to discard food at the home?
9. What data are available on the most effective ways for presenting food date labels on food items so that consumers can easily access and clearly understand the information?
10. What studies exist on the factors that should be considered in a national education campaign aimed at reducing consumer confusion about date labels? Please explain your reasoning as to why a study should be considered.
11. What studies detailing the effects of date labeling on food waste should FSIS and FDA consider and why?
- 12. What factors do firms (e.g., manufacturers, retailers, food banks) and individuals consider when determining which food items to donate or discard? Specifically, do firms or individuals use food date labels to inform decisions to donate or discard food items? Please provide supporting studies or data.**
13. What estimates are available concerning the value of food that is discarded due to date labels, including any studies regarding the value discarded due to confusion of date labels?

AB-660 Food and beverage products: labeling: quality dates, safety dates, and sell-by dates

California bill (AB 660) was signed into law, places requirements around food quality and food safety date labeling. It is intended to eliminate confusion around date labels and goes into effect on July 1, 2026. The law will be enforced by the California Department of Food and Agriculture (CDFA).

Importantly, date labeling is voluntary. This law does not require date labeling, but if a food manufacturer, processor, or retailer responsible for labeling food items chooses to include a date label, the law requires the use of standardized data label terms, including:

- "BEST if USED By" (or the acronym "BB" for small packages) to indicate the quality of food item.
- "Use by" (or the acronym "UB" for small packages) to indicate the safety of a food item.
- The bill prohibits use of the term "sell by."

Consumer confusion

CA law is not practical as the standard for federal reg

In general the FMI guidance still works

NEED CONSUMER EDUCATION

Concern about enforcement

Simple solution needed for in store labeled products
need consistency

Challenges – consumer messaging, food waste, food safety risk,

Streamlining the language could help reduce consumer confusion

Driving sustainability for consumer, not necessarily industry

Impact on Food Donations – could this reduce donations – many items are frozen by date on the package

Logistical challenges

CA AB 660 Operational Challenges and Best Practices



Lunch

Logistics



Bus Pickup at 5:30

Near the JW San Marco Entrance

Walk towards the Palms Ballroom and exit near the Café San Marco

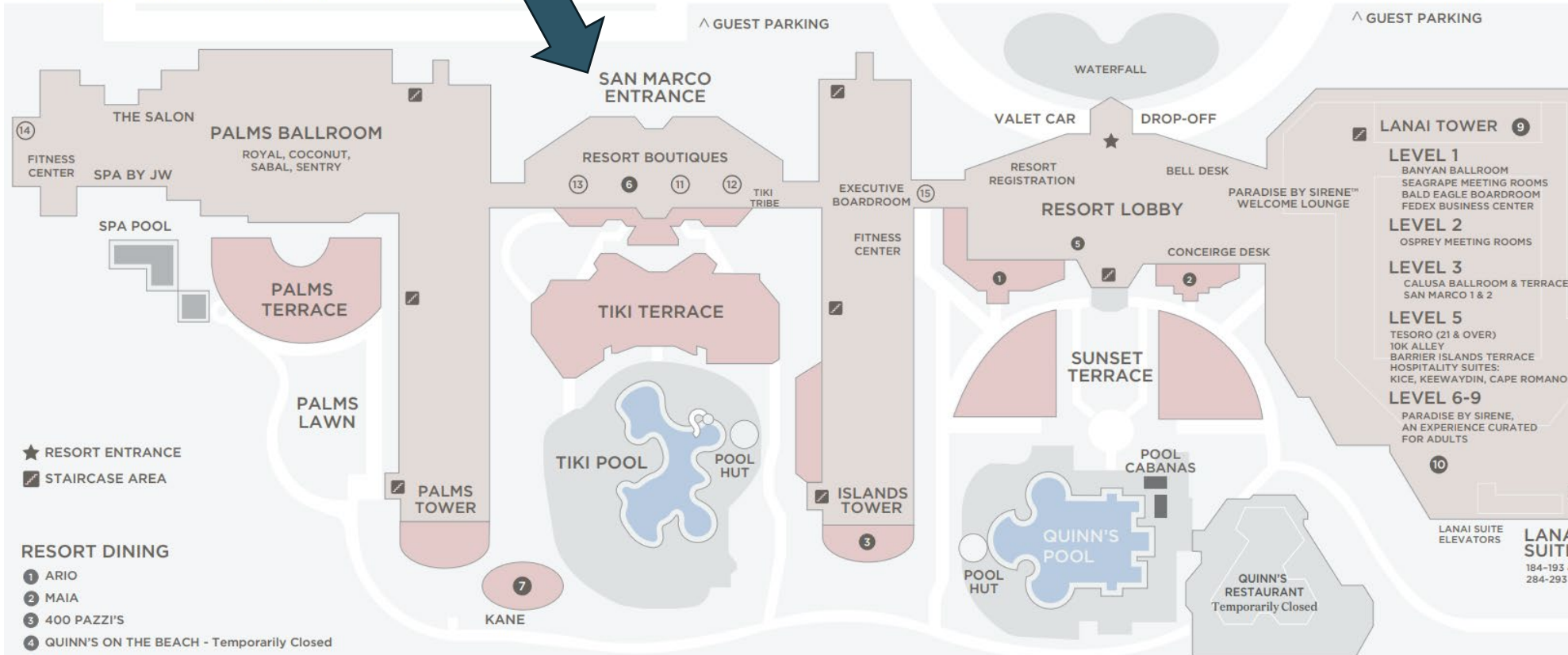
Wednesday Meeting – Palms Sentry 1-3

Thursday Morning – Palm Sentry 1-3 at 8:45 AM

Breakfast will be provided

◀ TO THE ROOKERY GOLF CLUB & HAMMOCK BAY GOLF CLUB (OFF-PROPERTY)

SOUTH COLLIER BOULEVARD



★ RESORT ENTRANCE
☑ STAIRCASE AREA

RESORT DINING

- 1 ARIO
- 2 MAIA
- 3 400 PAZZI'S
- 4 QUINN'S ON THE BEACH - Temporarily Closed
- 5 KORALS LOUNGE
- 6 CAFÉ SAN MARCO
- 7 KANE TIKI BAR & GRILL
- 8 ROOKERY GRILL/HAMMOCK BAY GRILL
- 9 10K ALLEY
- 10 TESORO

BOUTIQUES

- 11 CROSS WINDS
- 12 SWEET WATERS
- 13 SURF + SAND
- 14 SPA BOUTIQUE
- 15 HERTZ

AMENITIES

- SPA BY JW
- THE SALON
- THE ROOKERY GOLF CLUB
- HAMMOCK BAY GOLF CLUB
- FITNESS CENTER
- WATER SPORTS
- POOL CABANAS & CHICKEE HUTS

PALMS BEACH

TIKI BEACH

QUINN'S BEACH

TASTE OF QUINN'S
OUTDOOR DINING

LANAI BEACH

WEDDING
GAZEBO
NORTH

MAIN BEACH HUT
CHAIRS & UMBRELLAS,
DAYBEDS & CHICKEE HUTS

MARCO ISLAND
WATER SPORTS
RENTALS

WEDDING
GAZEBO
SOUTH

CHICKEE HUTS

CHICKEE HUTS



FSIS Policy Discussion



LM

Salmonella Framework

Salmonella Framework



Proposed rule

Comments closed on January 17, 2025

Expect changes

Listeria Prevention



NEWS RELEASE

TUESDAY, DECEMBER 17 2024

FSIS Announces Stronger Measures to Protect the Public from *Listeria monocytogenes*



WASHINGTON, December 17, 2024 – The U.S. Department of Agriculture’s (USDA) Food Safety and Inspection Service (FSIS) today announced several new steps to strengthen the agency’s oversight of food processing facilities it regulates (meat, poultry and egg products) and ensure safe food. These steps reflect the agency’s continual effort to protect public health through science-based regulation, strong enforcement, and advancement of its prevention-first approach to eliminating foodborne illness.

Over the past several months, *Listeria monocytogenes* has been linked to foodborne illness outbreaks and large-scale recalls of ready-to-eat meat and poultry products, causing the agency to review its processes closely. While the agency’s review continues, FSIS is announcing a number of improvements and initiatives that can be implemented quickly. The agency will share more

FSIS Listeria Prevention



Enhancing FSIS' Regulatory and Sampling Approach to *Listeria*

- Effective January 2025, FSIS will add broader *Listeria* species testing to all samples of ready-to-eat product, environmental and food contact surfaces.
- FSIS will leverage the expertise of its National Advisory Committee on Microbiological Criteria for Foods (NACMCF).

Equipping FSIS Inspectors with Updated Training and Tools to Recognize and Respond to Systemic Food Safety Issues

- FSIS will update its instructions and training for food safety inspectors to better equip the workforce to recognize and highlight systemic problems in a standardized way. FSIS will conduct Food Safety Assessments (in-depth food safety reviews) at ready-to-eat meat and poultry facilities.
- FSIS field supervisors will conduct in-person, follow-up visits when systemic issues are identified during a Food Safety Assessment.

Tightening Oversight of Regulated Establishments, Including Those Under State Inspection Models

- FSIS inspectors will verify specific *Listeria monocytogenes*-related risk factors at ready-to-eat facilities weekly.
- FSIS will clarify state and Federal requirements for consistent oversight of Talmadge-Aiken (TA) programs through updated cooperative agreements and instructions.
- FSIS will revise establishment-review alert triggers.

Best practices for Suppliers – RTE FSIS



Shift suppliers from Alt 3 to alt 2 or 1

Adequacy of environmental sampling plan

Post processing lethality – opportunity

Reformulation challenges – consumer acceptance

Use existing best practice documents

Chicken – purge



Study – 20 years ago

Rotisserie chicken – 20 birds per bag

Purge,

Injection and tumbling time – optimize

Inhibitors into brine

Packaging – prevent leakage

Deli layout – separate raw production area – product flow

Drainage, cleanable surfaces – survey floor condition, physical conditions, partner with maintenance,

Operational challenge – production vs clean up

Frequency of cleaning – during production, clean up processes

storage vs prep vs food contact, surfaces

Hurdle approach

Separate raw and cooked
Raw in meat department – manage utensils, gloves, aprons,
Purge in meat department (raw)
Labor and time for cleanup and sanitation
Flow of product and people
Expense of reconfiguring the deli, capital investment
Floors and traffic
Practicality of cleaning procedures
Can cleaning task be accomplished in time allotted
End of day, beginning of day, separate crew
Phage
Chemical effectiveness, contact time,
Routine cleaning vs on the spot cleaning
Prioritize cleaning and sanitation – monitor hours,

? Validation

Time and labor studies – focus on time to do something – not the task that needs to be done

Narrow to deli

Can't figure out if hours are going to cleaning the deli

Need resources –

Not sufficient hours to clean – dedicated cleaning and sanitation

Accountability –

Challenges – labor, training, turnover,

Risk is the underlying issue –

Audit to specific process for roasted chicken – focus on sanitation

One time deli cleanouts – deep clean

Had attention of sr leaders –

Connect with sr leaders

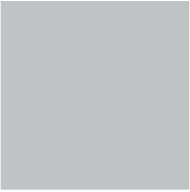
Focus was on recovery and resuming sales


Customers had questions

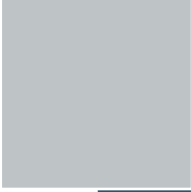
Legal – responsibility at corporate to reduce risk

Corporate structure – emphasis of meeting the numbers

Park doctrine – responsibility of facility

- 
- A solid grey square is positioned at the top left of the first dark blue content box.
- Reduce purge and load

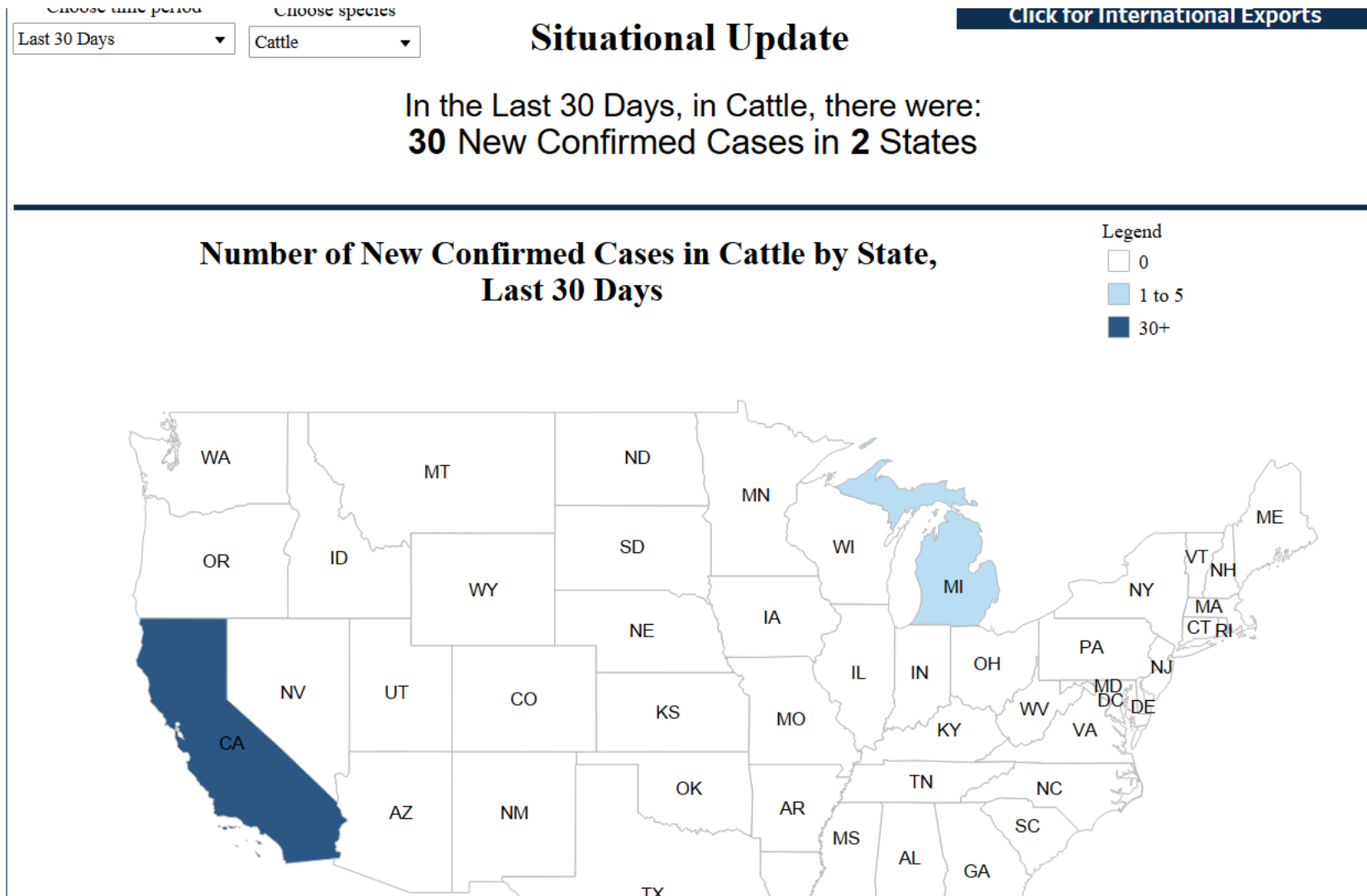
- 
- A solid grey square is positioned at the top left of the second dark blue content box.
- Facility design, structural issues
 - Product and people flow

- 
- A solid grey square is positioned at the top left of the third dark blue content box.
- Remediation – on the spot or routine sanitation

APHIS Updates



HPAI – Updated January 16, 2025 - Cattle



Dinner



Marco Island Princess

Rose Marina

951 Bald Eagle Drive

Marco Island 34145

Bus to marina and back from marina – returning at 9:30 PM

Sampling – Bulk Milk and Raw Milk Cheese



Microbiological Surveillance Sampling: FY25 Aged Raw Cow's Milk Cheese Collection and Analysis for HPAI



[Microbiological Surveillance Sampling](#)

On this page:

- [Raw Cow's Milk Cheese Sampling](#)
- [Questions and Answers](#)

Content current as of:

12/30/2024

Regulated Product(s)

Food & Beverages

Raw Cow's Milk Cheese Sampling

The U.S. Food and Drug Administration (FDA) has begun a domestic sampling assignment to collect and test aged raw cow's milk cheese for Highly Pathogenic Avian Influenza (H5N1). The objectives of the assignment are:

- To determine whether viable H5N1 virus is present in the cheese; and
- To take follow-up action(s) as needed to address contaminated product and protect



Cat and Dog Food Manufacturers Required to Consider H5N1 in Food Safety Plans

The U.S. Food and Drug Administration has determined that it is necessary for manufacturers of cat and dog foods who are covered by the FDA [Food Safety Modernization Act Preventive Controls for Animal Food](#) (PCAF) rule and using uncooked or unpasteurized materials derived from poultry or cattle (e.g., uncooked meat, unpasteurized milk or unpasteurized eggs) to reanalyze their food safety plans to include Highly Pathogenic Avian Influenza virus (specifically H5N1) as a known or reasonably foreseeable hazard. Furthermore, the FDA is issuing this update to ensure that cat and dog food manufacturers are aware of information about the new H5N1 hazard associated with their pet food products, which is an additional reason that manufacturers must conduct a reanalysis of their food safety plans.

[Read More](#)

Commercial Poultry Flocks



HPAI 2022/2023 Confirmed Detections

as of January 27, 2025

Last reported detection Friday, January 24, 2025

Data updated weekdays by 12pm Eastern

[Download Data](#)

Outbreak Situation Last 30 Days

100 Confirmed Flocks

Flocks tested and confirmed having HPAI

Commercial Flocks

61

Backyard Flocks

39

Birds Affected*

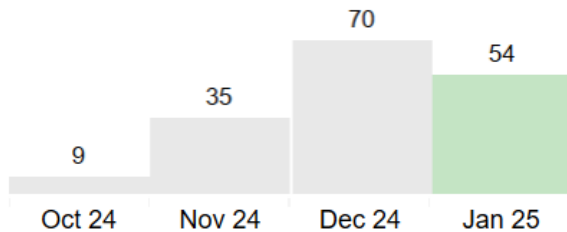
15.63M

*Number of birds on confirmed infected premises.

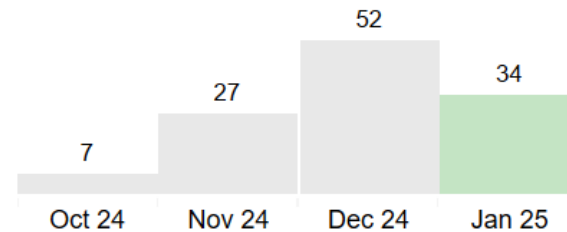
Detections by Month

Bars reflect most recent 4 months.

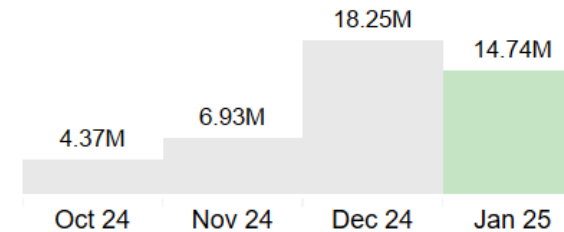
Commercial Flocks



Backyard Flocks



Birds Affected*



Choose variable

Choose time period

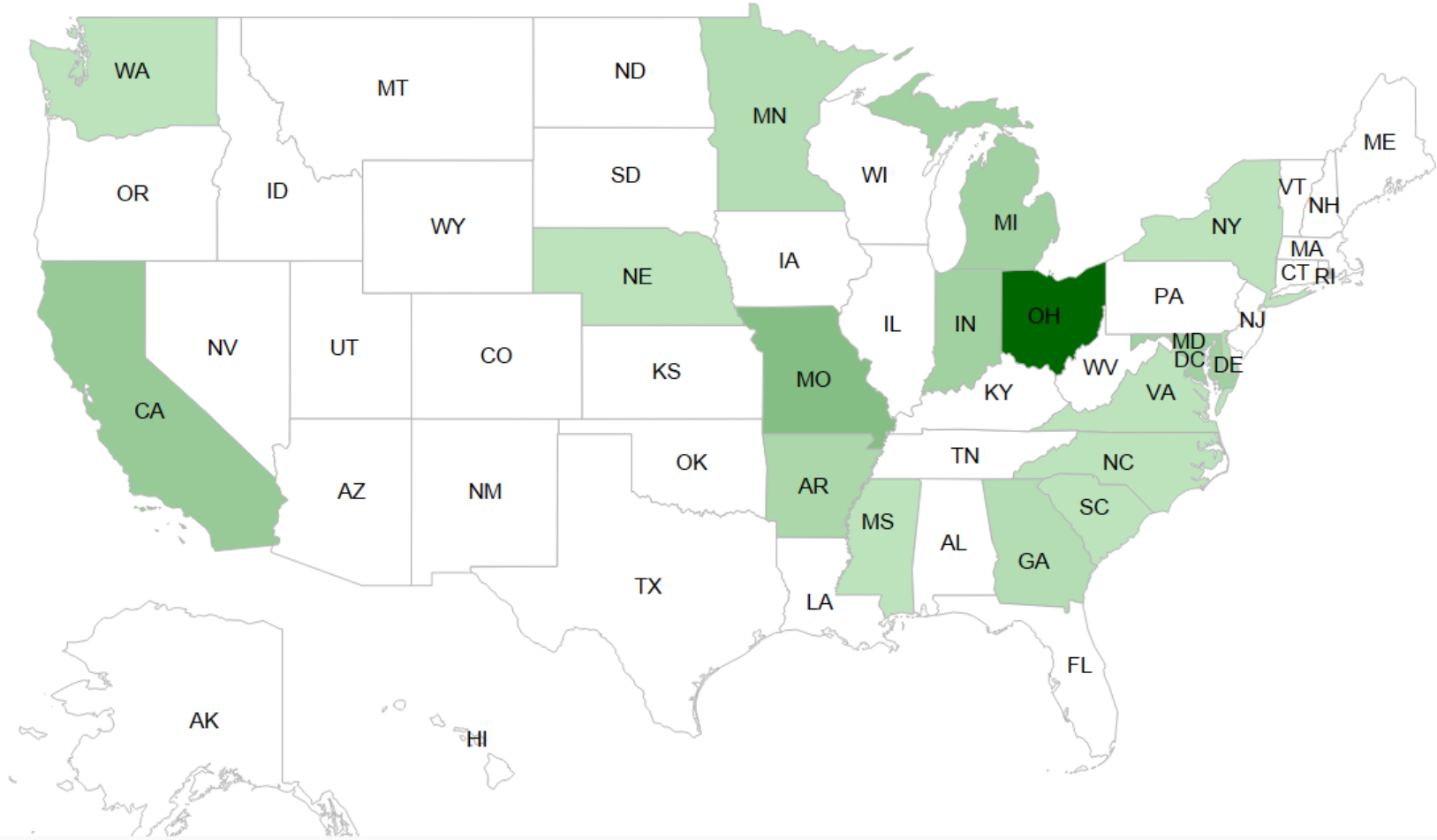
Commercial Flocks

Last 30 Days

Commercial Flocks by State

Legend 0 21

[Click For International Exports](#)



Navigation icons: Home, Back, Forward, Refresh, Zoom In, Zoom Out, Full Screen, Share

Traceability Report outs



Priorities

based on previous FDA requests for traceback

all produce

smoked fin fish

RTE deli salad

cheese

nut butters

shell eggs

fin fish

crustaceans

shell fish (because of NSFP)

2D barcode – possible prioritization

Categories are not prioritized further because it will be addressed as a category

Supplier req, reverse logistics



Practices for managing supplier relationships

3rd party – will help with small suppliers and troubleshooting

product movement will not be stopped if no records

supplier scorecards will be impacted

FDA response “work with your supply chain partners”

collectively working towards compliance – will not stop product movement, - preamble language

lack of information

responsibility of receiver to verify accuracy of information?

Store to store – most under ad hoc

In food safety plan – typical channels for receiving food

FAQ – restaurants

Possible solution – returns – discard at the store or donate

Break

2025 Initiatives





Ecolab



Dinner



Bus – 5:30 PM

Boat cruise on the Marco Princess

Bus – back to hotel at 9:30 PM

Rose Marina

951 Bald Eagle Dr.

Marco Island, FL 34145

Regulatory Update

Active Investigations

Date Posted	Reference #	Pathogen or Cause of Illness	Product(s) Linked to Illnesses (if any)	Total Case Count	Investigation Status	Outbreak/Event Status	Recall Initiated	FDA Traceback Initiated	FDA Inspection Initiated	FDA Sampling Initiated
1/15/2025	1285	Listeria monocytogenes	Not Yet Identified	34	Active	Ongoing See Advice		✓		
12/26/2024	1281	Listeria monocytogenes	Not Yet Identified	32	Active	Ongoing See Advice		✓	✓	✓
12/11/2024	1282	E. coli O145:H28	Not Yet Identified	8	Active	Ended See Advice		✓		
12/4/2024	1280	E. coli O157:H7	Romaine Lettuce	88	Active	Ended See Advice		✓	✓	✓
10/30/2024	1272	E. coli O26:H11	Not Yet Identified	10	Active	Ended See Advice		✓	✓	✓

Outbreak Year (reference number)	<u>Pathogen</u>	<u>Product</u>	Additional Information	Active
December 2024 (2025-04)	Listeria monocytogenes	Unknown		Yes
November 2024 (2025-03)	Escherichia coli O157:H7 (E. coli)	Ground beef	<p>FSIS Public Notification: Wolverine Packing Co. Recalls Ground Beef Products Due to Possible E. Coli O157:H7 Contamination</p> <p>MN Notice: E. coli O157 infections linked to consumption of burgers from Twin Cities Restaurants</p>	No

Healthy Final Rule



Healthy nutrient content claim (December 27,)2024

FDA Webinar scheduled for Feb 20, 2025

[Register through FDA](#)

FDA's Updated "Healthy" Claim Definition

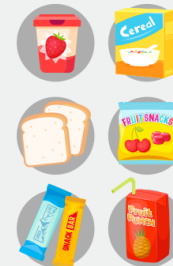


The "healthy" nutrient content claim for use in food labeling was originally developed in the early 1990s. Nutrition science and dietary recommendations have changed over the years, so FDA has updated the "healthy" claim for foods. Healthy diets are made up of a variety of food groups and nutrients and the "healthy" claim can help consumers identify those foods that are the foundation of healthy dietary patterns.

Original "Healthy" Claim	Updated "Healthy" Claim	Reasons for the Change
Limits on: <ul style="list-style-type: none"> Saturated Fat Sodium Total Fat Dietary Cholesterol 	Limits on: <ul style="list-style-type: none"> Saturated fat Sodium Added Sugars 	<ul style="list-style-type: none"> These changes reflect current nutrition science and dietary guidance in the <i>Dietary Guidelines for Americans</i>. For example, current dietary recommendations have moved away from specific limits for total fat and dietary cholesterol and towards limiting saturated fat and replacing it with unsaturated fat in the diet. They also now include recommended limits for added sugars.
Required to contain: A minimum amount of beneficial individual nutrients (defined as vitamin A, vitamin C, calcium, iron, protein or fiber)	Required to contain: A minimum amount of recommended food groups and sub-groups (vegetables, fruits, dairy, protein foods, whole grains) which contain an array of nutrients	<ul style="list-style-type: none"> Including a requirement that foods contain a meaningful amount of recommended food groups, which contain an array of nutrients, rather than focusing solely on individual nutrients is consistent with current nutrition science. Current dietary guidance recommends constructing healthy dietary patterns by eating an array of vegetables, fruits, dairy, protein foods and whole grains to support nutrient adequacy of the diet. Focusing on food groups better reflects the overall nutrient content of a food rather than focusing on one individual beneficial nutrient in isolation.

Examples of foods that qualified under the original "healthy" claim:

- Yogurt that is high in added sugars
- Fortified breakfast cereal that is high in added sugars
- Fortified white bread with no whole grains
- Fruit snacks that are high in added sugars
- Snack bars that are high in added sugars
- Fortified fruit punch (not 100% juice)



Examples of foods that qualify under the updated "healthy" claim:

- Fresh whole fruits and vegetables
- Frozen, chopped, dried, or canned fruits and vegetables*
- Salmon
- Trail mix with nuts and dried fruit*
- Plain low-fat or fat-free yogurt
- Eggs
- Water
- 100% olive oil



*Nutritional content of these items may vary based on added ingredients and must meet a minimum food group amount and required limits for saturated fat, sodium, and added sugars to qualify to bear the "healthy" claim under the updated definition.

Examples of foods that qualify under the updated “Healthy” claim:



Fresh whole fruits and vegetables



Frozen, chopped, dried, or canned fruits and vegetables*



Salmon



Trail mix with nuts and dried fruit*



Plain low-fat or fat-free yogurt



Eggs



Water



100% olive oil

Front of Pack Proposed Rule



Food Labeling: Front-of-Package Nutrition Information

Docket FDA-2024-N-2910

Published Jan 16, 2025

Comments due May 16, 2025

Quantitative Research on Front of
Package Labeling on Packaged Foods
(OMB No. 0910-0920)

<https://www.fda.gov/media/185007/download?attachment>

1

Nutrition Info		
Per serving		% Daily Value
1 container		
Saturated Fat	18%	Med
Sodium	37%	High
Added Sugars	5%	Low

FDA.gov

2

Nutrition Info		
Per serving		% Daily Value
5 cookies		
Saturated Fat	25%	High
Sodium	5%	Low
Added Sugars	10%	Med

FDA.gov

160
CALORIES

3

Nutrition Info	
Sat. Fat	Med
Sodium	High
Add. Sugar	Low

FDA.gov

4

Nutrition Info		
Per serving		% Daily Value
5 cookies		
Saturated Fat	25%	High
Sodium	5%	Low
Added Sugars	10%	Med

FDA.gov

160 Calories

As Packaged		
Nutrition Info		
Per serving		% Daily Value
1 container		
Saturated Fat	18%	Med
Sodium	37%	High
Added Sugars	5%	Low

FDA.gov

Alcohol and Tobacco Tax and Trade Bureau



Two proposed rules publishing tomorrow

Major Food Allergen Labeling for Wines, Distilled Spirits and Malt Beverages

Docket No. TTB–2025–0003

Alcohol Facts Statements in the Labeling of Wines, Distilled Spirits and Malt Beverages

Docket No. TTB–2025–0002

Comments open until April 17, 2025

Dietary Guidelines Advisory Committee



Comments open on report

Feb 10, 2025

Docket HHS-OASH-2024-0017

Already > 2500 comments submitted

Other Guidance Documents Published



Labeling of Plant Based Alternatives to Animal-Derived Foods (Jan 2025)

Establishing Sanitation Programs for Low-Moisture Ready-to Eat Human Foods and Taking Corrective Actions Following a Pathogen Contamination Event (Jan 2025)

Notifying FDA of a Permanent Discontinuance in the Manufacture or an Interruption of the Manufacture of an Infant Formula (Dec 2024)

FDA/FSIS RFI on Food Date Labeling



Docket FSIS-2024-0021

Comments due 3/5/2025

Member Call was held– Jan 8, 2025

1:00 – 2:00 PM ET

Member input is welcome

Comments Submitted



FDA-2014-D-0055-0562

Voluntary Sodium Reduction Goals: Target Mean and Upper Bound Concentrations for Sodium in Commercially Processed, Packaged, and Prepared Foods; Draft Guidance for Industry (Edition 2)

FDA-2024-N-3609

Post Market Assessment

<https://www.fmi.org/government-affairs/regulatory/comments>

FSIS Salmonella Rule



Salmonella Framework for Raw Poultry Products

FSIS-2023-0028

Comments due January 17, 2024

Component 1: Pre-Harvest Measures

Guidance

Component 2: Enhanced Establishment Process Control Monitoring

Required written plan including microbial monitoring program (“MMP”) that incorporates statistical process control (“SPC”)

Component 3: The Proposed Final Product Standards

FSIS has tentatively concluded that the Poultry Products are adulterated if they contain any type of *Salmonella* in quantities at or above 10 colony forming units/per milliliter or gram (10 cfu/mL(g)) in analytical portion (i.e., mL of rinsate or gram of product) **AND** contain any detectable level of at least one of the *Salmonella* serotypes of public health significance identified for that commodity

Legislative Update

Legislative Update



New Congress began January 3, 2025

Inauguration is January 20, 2025

Leadership

Committee appointments

Confirmation Hearings

State Legislative Affairs



FMI State Affairs page for resources:
<https://www.fmi.org/government-affairs/state-affairs>

This page includes:

- **The FMI 50 State Outlook for 2025**, a detailed overview of issues the grocery industry expects to face in the 2025 state legislative sessions.
- **Issue Papers, Tool Kits, and Research Papers**

Sign up for State Newsletters: <https://www.fmi.org/get-involved/newsletters>

- **FMI State Issues Report**
- **FMI Local Monitoring Report**
- **FMI State Sustainability Policy Report**

Open Discussion