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United States Senate

COMMITTEE ON HEALTH, EDUCATION, LABOR,
AND PENSIONS

WASHINGTON, DC 20510-6300

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The Honorable Rob Califf
Commissioner
U.S. Food and Drug Administration
10903 New Hampshire Avenue
Silver Spring, Maryland 20903

Jim Jones
Deputy Commissioner
Human Foods Program
U.S. Food and Drug Administration
10903 New Hampshire Avenue
Silver Spring, Maryland 20903

Dear Commissioner Califf and Deputy Commissioner Jones:

In America today, we have a childhood obesity epidemic and a diabetes crisis that we can no longer ignore.

According to the Centers for Disease Control and Prevention (CDC), the rate of childhood obesity in America has [tripled](#) since the 1970s. Today, one out of every five children and over [40 percent](#) of adults in our country are obese.

The skyrocketing increase in the number of Americans struggling with type 2 diabetes is equally alarming. Today, over [35 million](#) Americans have type 2 diabetes (more than 10 percent of our population) and about [90 percent](#) of those with type 2 diabetes are also obese. If we do not act boldly to reduce these trends, the number of children with type 2 diabetes is estimated to increase by [700 percent](#) over the next 40 years. This would not only result in a massive amount of death and human suffering, but would greatly increase our health care expenditures. We have a responsibility to make sure that does not happen and that we do everything that we can to address this public health emergency.

In the Fall of 2023, the FDA took a very modest step forward by announcing that it would issue a proposed rule in December of 2023 requiring the food and beverage industry to put nutrition labels on the front of their packages. Unfortunately, almost a year has gone by and the FDA has still not issued a proposed rule requiring front-of-package nutrition labels.

As the chairman of the committee with jurisdiction over this issue, I believe the FDA's repeated delays and inaction on this enormously important issue are unacceptable.

In 2010, the National Academy of Medicine published its first report recommending a nationwide front-of-package nutrition labeling program that the American people could easily understand. And yet, 14 years later, this program has still not gone into effect.

The time has come for the FDA to stop dragging its feet and demand that the food and beverage industry warn the American public about the dangers of eating and drinking products that are high in sugar, salt and saturated fats on the front of their packages.

On Thursday, December 5th, the Senate Health, Education, Labor, and Pensions Committee (HELP) Committee will be holding a hearing on this subject. I expect that both of you will not only testify at this hearing, but that the FDA will have issued a proposed rule on front-of-package labels well in advance of that hearing date so that our committee can intelligently analyze it.

The American people have a right to know what is in the food and beverages they are consuming and how these products can impact their health and well-being as well as that of their children.

For far too long, the food and beverage industry has been allowed to use deceptive and misleading tactics to entice children to eat foods and consume beverages loaded up with sugar, salt and saturated fats that are purposely designed to be addictive and overeaten.

The situation has gotten so bad that most of what children in America eat today consist of unhealthy, ultra-processed foods that doctors have told us lead to a higher risk of type-2 diabetes. Those unhealthy foods now make up 73 percent of our nation's food supply and 58 percent of the calories that U.S. adults and children consume every day. According to a National Institutes of Health study, consuming ultra-processed foods leads to overeating by an average of 500 calories per day. Research has shown that these products can be as addictive as alcohol and nearly as addictive as cigarettes.

The FDA must ensure that Americans understand the health risks associated with the consumption of these unhealthy and ultra-processed foods. Other major countries around the world have moved forward aggressively to provide this information to their citizens. There is no reason as to why the United States is lagging so far behind.

In my view, we need strong front-of-package labels so that all consumers, especially children, can be warned as to which products are harmful to their health. Tobacco labels in the United States do not say "high in tar, high in nicotine, high in carcinogens." They say "cigarettes cause cancer." The front-of-package label in Mexico includes a stop sign and additional disclosures stating which products contain caffeine and other harmful ingredients that should be avoided by children. We need similarly strong health warning labels and disclosures in the United States.

Further, we also need strong nutrient warnings for these products. This is not a new idea. Countries like Chile, Brazil, Uruguay, Peru, and others have successfully implemented strong front-of-package nutrient warning labels. In Chile, calories purchased from unhealthy

products declined by 24 percent following the implementation of their front-of-package nutrient warnings.

For the sake of our children, the health of our population and the financial well-being of our health care system, we must take on the greed of the food and beverage industry and, as soon as possible, produce strong and effective front-of-package nutrition labels.

I look forward to discussing this issue with you in the very near future.

Sincerely,



Bernard Sanders

Chairman

Senate Committee on Health, Education, Labor, and Pensions