

Coalition for Uniformity in Food Ingredients

December 14, 2018

Janine Samoni
Chief, SMSG Division
Subsistence Supply Chain
DLA Troop Support
700 Robbins Avenue
Philadelphia, PA

Via email to: Janine.Samoni@dla.mil

Re: Comments on the Draft Ingredients Process Map

Dear Ms. Samoni:

Thank you for the opportunity to provide comments on the Draft Ingredients Process Map distributed by the Defense Logistics Agency, Troop Support (DLA Troop Support) following the Research and Development Associates for Military Food and Packaging (R&DA) presentation in Woburn, Massachusetts. Our comments are submitted on behalf of the Coalition for Uniformity in Food Ingredients (Coalition), a group of allied trade associations, whose members supply foods and food ingredients to the Department of Defense.¹

Background

In August 2017, DLA Troop Support announced a prohibition of several important and commonly used food ingredients. Because that prohibition lacked scientific justification, food industry stakeholders, including manufacturers and growers, were surprised by it and expressed concern directly to DLA Troop Support and Congress. In September 2017, the prohibitions were rescinded.

Given these events, the Coalition applauds DLA Troop Support for agreeing to develop a more transparent, collaborative, and science-based process when considering future ingredient limitations in the subsistence supply chain. The Coalition has reviewed the Draft Ingredients Communications Process Map and has concluded that there should be greater opportunity for stakeholder engagement with the decision makers and that engagement should occur earlier in the process – before decisions are being made.

These comments are founded on substantial experience with food regulators and support for a transparent process. It is critically important that substantive engagement with stakeholders takes place *before* limitations are proposed. Early engagement with industry and federal subject matter experts helps focus the scope of policy decisions and preserve Departmental resources.

For that reason, the Coalition supports the Department implementing a procedure similar to an Advanced Notice of Proposed Rulemaking (ANPR). The ANPR is a preliminary step commonly used by federal agencies that allows the public to submit comments before an agency issues a Notice of Proposed Rulemaking. We believe following the ANPR approach would provide the Joint Working Group (JWG) and Joint Subsistence Policy Board (JSPB) with important

¹ The activities of the Coalition are supported by the Soyfoods Association of North America (SANA) and the Grocery Manufacturers Association (GMA).

information as it formulates policy and informs the services. Engaging with stakeholders before proposing ingredient limits will allow suppliers the opportunity to identify potential unintended impacts. Examples where stakeholder input would be particularly beneficial to the Department include food product nutritional composition, ingredient safety and product performance, quality, and taste.

The Coalition recommends amending the Draft Ingredients Communications Process Map to include the following;

- The Department should publish a “notice of intent” or ANPR in the *Federal Register* inviting comment before issuing a Notice of Proposed Rulemaking;
 - A minimum of 90 days should be provided to submit written formal comments on any proposal;
- Comments generated responding to the ANPR should be directed to the JWG and JSPB;
- The Department should seek alignment on nutrition policy with the Department of Agriculture, Food and Drug Administration (FDA), and other Departments, as appropriate;
- Any ingredient limits or bans should be based on the Dietary Guidelines for Americans as well as publicly available, peer-reviewed scientific publications, which should be cited in connection with proposed restrictions;
- The Process Map or accompanying text should include the specific number of days associated with each phase of implementation; and
- Implementation should be uniform across the services and provide at least 24 months for manufacturers to adjust to any new ingredient requirements. By way of example, FDA provided three years for companies to remove partially hydrogenated oils (PHOs) from the food supply following the agency’s final determination that these ingredients are no longer generally recognized as safe.

The Draft Process Ingredient Map should include all of the elements outlined and the Department should provide accompanying explanatory text to clarify how each step will be handled.

Thank you for the opportunity to provide comment. The Coalition looks forward to working more closely with DLA Troop Support to create an ingredient process that is science-based, transparent and benefits our military.

Sincerely,

American Bakers Association

American Farm Bureau Federation

American Frozen Food Institute

American Herbal Products Association

American Pulse Association

American Soybean Association

The Glutamate Association
Grocery Manufacturers Association
Institute for Shortening and Edible Oils
International Food Additives Council
National Association of Wheat Growers
National Council of Farmer Cooperatives
National Corn Growers Association
National Barley Growers Association
National Restaurant Association
National Sunflower Association
National Turkey Federation
North American Meat Institute
Soyfoods Association of North America
The Sugar Association
US Canola Association
US Dry Bean Council
USA Dry Pea & Lentil Council

cc: Honorable Ellen M. Lord, Under Secretary of Defense for Acquisition, Technology, Logistics
Honorable Robert H. McMahon, Assistant Secretary of Defense for Sustainment
Lieutenant General Darrell K. Williams, Director, Defense Logistics Agency