

United States Senate
WASHINGTON, DC 20510

September 11, 2024

The Honorable Xavier Becerra
Secretary
Department of Health and Human Services
200 Independence Ave SW
Washington, DC 20201

The Honorable Tom Vilsack
Secretary
Department of Agriculture
1400 Independence Ave SW
Washington, DC 20201

Dear Secretary Becerra and Secretary Vilsack,

We write in support of ensuring science-based recommendations pertaining to dairy in the 2025-2030 Dietary Guidelines for Americans (DGA). As you await the report of the Dietary Guidelines Advisory Committee, we ask that in developing the DGA, you insist on sound evidence to support any changes to current dairy recommendations.

We are concerned about potential efforts to add plant-based imitation products to the dairy group within the DGA. Apart from fortified soy, the current DGA does not consider plant-based alternatives to be nutritionally equivalent to real dairy. Existing research has shown that plant-based alternatives are indeed not nutritionally equivalent to dairy.¹ These products may be lower in protein, may contain added sugars, and may not contribute other nutrients in similar amounts to dairy.^{2,3} In our understanding, there is also not currently strong evidence that plant-based alternatives provide the same beneficial effects on chronic disease risk compared to real dairy.⁴

Moreover, we would be concerned with any update to the DGA that furthers consumer confusion about the nutritional differences between dairy and ultra-processed plant-based alternatives. The Food and Drug Administration (FDA) has acknowledged this concern in their Draft Guidance for Industry on the Labeling of Plant-Based Milk Alternatives, noting that consumers do not understand nutritional differences between dairy and plant-based alternatives, and may incorrectly believe they are healthier than milk or comparable in nutrition. FDA subsequently recognized the nutritional inferiority of plant-based products in their guidance and provided recommendations for disclosing their nutritional inferiority on the products' labels. To this end, we have called on the FDA many times to enforce dairy product standards of identity to help consumers distinguish between real dairy and plant-based imitation products.

¹ <https://pubmed.ncbi.nlm.nih.gov/38871080/>

² <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10504201>

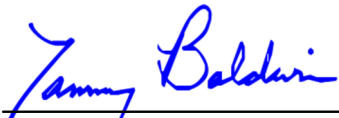
³ <https://healthyeatingresearch.org/wp-content/uploads/2019/09/HER-HealthyBeverage-ConsensusStatement.pdf>

⁴ <https://www.sciencedirect.com/science/article/pii/S0027968424000130>

We believe that it is important that consumers understand the nutritional value of the food and beverages that they choose to purchase and consume, and that the federal dietary guidelines they may turn to reflect evidence-based science. As you consider potential updates to the DGA pertaining to dairy, we ask that you ensure sound scientific evidence to support any statements which nutritionally equate plant-based alternatives with real dairy.

We look forward to continuing to work with you to improve the health and nutrition of Americans.

Sincerely,



Tammy Baldwin
United States Senator



Susan M. Collins
United States Senator



James E. Risch
United States Senator



Peter Welch
United States Senator