

Potato Industry | December 2021

Food & Nutrition Policy

FDA Commissioner Nominee Hearing

The Senate HELP Committee will hold a confirmation hearing for FDA commissioner nominee Robert Califf on December 14th. Califf previously served as commissioner for nearly a year in Obama's second administration after an overwhelming vote in his favor. However, this time around some groups have criticized Califf's ties to the drug industry.

FDA Proposed Rule on Healthy at OMB

In mid-November, the FDA sent a Proposed Rule titled "Nutrient Content Claims, Definition of Term: Healthy" to the Office of Management and Budget (OMB) for review. The proposal would update the definition for the implied nutrient content claim "healthy" to be consistent with current nutrition science and federal dietary guidelines. It would also revise the requirements for when the claim "healthy" can be voluntarily used in the labeling of human food products, including packaged potato products. OMB reviews typically take between 30-90 days to complete, and the Proposed Rule could be publicly released soon after completion if no significant changes are needed.

USDA Interim Final Rule on Certain Nutrition Standards for School Meals

A USDA interim Final Rule titled, "Child Nutrition Programs: Temporary Standards for Milk, Whole Grains, and Sodium" is currently under review by OMB. This Interim Final Rule seeks to provide short-term certainty regarding nutritional standards in the operations of the National School Lunch Program and School Breakfast Program, particularly around milk, whole grains, and sodium standards. The USDA Food and Nutrition Service (FNS) plans to continue to review comments and propose a new science-based permanent solution to align with the 2020 Dietary Guidelines for Americans. Once OMB finishes their review, the Interim Final Rule may be published soon thereafter.

USDA Staff Updates

The USDA announced the names of individuals who will hold key staff positions in Washington, D.C. These updates include the following:

- Anne Knapke was named Deputy Chief of Staff for Policy in the Office of the Secretary
- Shefali Mehta was named Deputy Under Secretary for Research, Education, and Economics
- Sean Babington was named Senior Advisor for Climate in the Office of the Secretary
- Bidisha Bhattacharyya was named Senior Advisor for Climate and Conservation for Farm Production and Conservation
- Colin Finan was named Senior Advisor for the National Institute of Food and Agriculture
- Riya Mehta was appointed Policy Advisor to the Farm Service Agency
- Conisha Hackett was appointed Policy Advisor to the Farm Service Agency

Food Date Labeling Act of 2021

A set of bipartisan date labeling bills were reintroduced in both the House (H.R. 6167) and Senate (S. 3324) to regulate date labels used on packaged food products. The bills would establish requirements and definitions for quality ("Best if used by") and discard dates ("Use by"). Sponsors of the bills include Representatives Chellie Pingree (D-ME) and Dan Newhouse (R-WA) as well as Senator Richard Blumenthal (D-CT).

Proposed New York State Bill to Restrict SNAP Purchases

A bill ([A08469](#)) was introduced in New York State that would request authorization from the federal government to ensure that SNAP benefits are only used for the purchase of “healthy” foods and beverages. Under this bill, “healthy and nutritious foods and beverages” would include infant and adult cereal, fruits, vegetables, nuts, meats, fish, bread, rice, flour, spices, baking supplies, soft corn and wheat tortillas, fruit and vegetable juice, eggs, milk, cheese, peanut butter, jelly, dried beans or peas, soy beverage, tofu, and other items as determined by the commissioner of health to be medically or nutritionally warranted. The list of “healthy and nutritious foods and beverages” would not include foods and beverages with significant amounts of added sugar, artificial sweeteners, or sodium, such as soft drinks, confectionary products, desserts, processed foods with high salt content, and similar items.

EU Front-of-Pack Draft Scientific Opinion

The European Safety Authority (EFSA) [launched a consultation](#) on its [draft scientific opinion](#) advising on the development of harmonized mandatory front-of-pack nutrition labeling and the setting of nutrient profiles for restricting nutrition and health claims on foods. EFSA’s document provides scientific advice on: 1) Nutrients and non-nutrient components of public health importance, 2) Key food groups, and 3) The choice of nutrients and non-nutrient components of food for nutrient profiling. Public comments will be accepted until January 9, 2022, and EFSA is required to deliver its scientific opinion by March 2022. The report will provide scientific advice to support the development of a future EU-wide system for front-of-pack nutrition labeling. It will also inform the setting of conditions for using nutrition and health claims on foods.

Food Safety & Agriculture

Agricultural Outlook Forum Focus on Sustainability and Productivity Growth

The USDA has [announced](#) the theme and program of the 98th [Agricultural Outlook Forum](#), a virtual event that will be held on February 24-25, 2022. The 2022 Forum theme is “New Paths to Sustainability and Productivity Growth” and the program will focus on innovations to minimize the environmental footprint of agriculture and ensure sustainability while improving crop yields. The forum will include a presentation from USDA Chief Economist Seth Meyer, a keynote from Secretary Vilsack, and panels of distinguished guest speakers. The Forum program will also include 30 breakout sessions covering six key areas: Climate mitigation and adaptation, frontiers in agricultural innovation and production, U.S. agricultural trade and global markets, commodity outlooks, supply chain resilience, and equity and inclusion.

USDA Establishes Food Purchase Program to Transform the Food System via Local Food Purchase

The USDA announced the establishment of the [Local Food Purchase Assistance Cooperative Agreement Program \(LFPA\)](#) that will award up to \$400 million for emergency food assistance purchases of domestic local foods. USDA is requesting applications from state and tribal governments to procure and distribute local and regional foods and beverages to serve feeding programs, including food banks, schools, and organizations that reach underserved communities. Any food or beverage product can be purchased as long as the product is domestic and local. Therefore, potatoes (including processed potato products) can be purchased by the recipient of this grant if they are both grown in the U.S. and local to the grant recipient.

USDA Under Secretary for Farm Production and Conservation Confirmed

The U.S. Senate [voted](#) 76-19 to confirm Mr. Robert Bonnie to serve as USDA Under Secretary for Farm Production and Conservation. Bonnie will oversee the Farm Service Agency, Natural Resources Conservation Service, and the Risk Management Agency. He will also play a key role in implementing the administration's climate policy, including its Climate-Smart Agriculture and Forestry Partnership Initiative, designed to fund regional pilot projects using climate-smart practices.

American Heart Association Updated Dietary Guidelines

The [American Heart Association \(AHA\)](#) has published [updated dietary guidelines](#) aimed at improving cardiovascular health in the U.S. The guidelines were last updated 2006, and the new updates take into account the U.S. Dietary Guidelines for Americans but also emphasize the latest research on reducing the risk of heart disease. The guidelines include 10 overarching recommendations, including advice to eat a variety of fruits/vegetables and choose minimally processed foods over ultra-processed foods.

CSPI Report on Nutrition Policies for Food Distribution Programs

According to a [new report](#) released by the Center for Science in the Public Interest (CSPI), there are no federal policies and very few state policies prioritizing nutrition for food bank donations. The report, [Policy Approaches to Healthier Food Banking](#), finds that only 14% (43 of 295) of federal and state policies impacting food donation address the donated food's nutritional quality. The report also indicates that 25% of food and beverages distributed through food banks are "unhealthy." In response to these findings, CSPI is urging the USDA to establish nutritional guidelines for its food distribution programs and offers other recommendations for the public and private sectors.

University of Maine Researchers Develop Potato Resistant to Climate Change

University of Maine [researchers](#) are trying to produce potatoes that can better withstand warming temperatures as the climate changes because warming temperatures and an extended growing season can lead to quality problems and disease in potatoes. In November, the University of Maine was awarded more than \$500,000 from USDA to conduct potato research to improve the potato's resistance to extreme weather and other stressors. The research is currently underway at sites throughout the U.S. in Virginia, North Carolina, and Florida. According to researchers, it may take 10 years of selection and an additional 2-5 years before enough commercial evaluation has taken place to release a new potato variety.