October 22, 2025

Dockets Management Staff (HFA-305)
Food and Drug Administration
5630 Fishers Lane, Rm. 1061
Rockville, MD 20852

RE: Docket No. FDA-2025-N-1793

Request for Information: Ultra-Processed Foods

I. Introduction and Statement of Interest

The National Retail Federation (NRF) appreciates the opportunity to comment on the joint Request for Information (RFI) issued by the Food and Drug Administration (FDA) and the U.S. Department of Agriculture (USDA) regarding the development of a uniform definition for ultra-processed foods (UPFs). NRF represents a broad spectrum of retailers and foodservice operators committed to delivering safe, affordable, and nutritious food options to American consumers.

The National Retail Federation passionately advocates for the people, brands, policies and ideas that help retail succeed. From its headquarters in Washington, D.C., NRF empowers the industry that powers the economy. Retail is the nation's largest private-sector employer, contributing $5.3 trillion to annual GDP and supporting more than one in four U.S. jobs — 55 million working Americans. For over a century, NRF has been a voice for every retailer and every retail job, educating, inspiring and communicating the powerful impact retail has on local communities and global economies.

II. General Comments

NRF supports the goal of improving public health through evidence-based nutrition policy. However, the development of a definition for the term UPFs must be approached with caution to avoid unintended consequences for consumers, retailers, and manufacturers. A definition that is overly broad, ambiguous, or not grounded in science could:

- Mislead consumers about the nutritiousness of certain foods.

- Impact consumer access to affordable, quality foods.

- Penalize nutrient-dense products that undergo necessary processing.

- Create regulatory burdens and stifle innovation without clear or proven public health benefits.

We urge FDA and USDA to prioritize clarity, consistency, and scientific rigor in this process.

We have concerns that there is insufficient science to inform a UPF definition, but if the agencies choose to proceed, we recommend a narrowly tailored definition for the term "ultra-processed food." This is important for a number of reasons, including for purposes of food safety, anti-

hunger/food insecurity, regulatory alignment with state laws, implementation practicality and simplification, and ease of consumer understanding. Nutrition *education* is essential; however, consumers need clear and consistent science-based guidance. The agencies should ensure that any definition aligns with existing regulatory frameworks to avoid conflicting requirements.

Given the high variability in how final products contribute nutritionally, we should avoid painting all UPFs with a broad brush. FDA and USDA should deploy due diligence to build out a more robust architecture of UPFs, recognizing that the benefits of some processes, ingredients, or final products far outweigh any downsides. This nuanced approach is essential to ensure that beneficial innovations in food processing are not inadvertently penalized or stigmatized, particularly essential foods relied on by vulnerable populations.

We also caution that processing itself should not be equated with poor nutrition or safety. Preservatives and processing techniques enhance shelf-life, affordability, and distribution, which are all vital in efforts to mitigate hunger and promote food security. For example, a 2023 USDA study in the Journal of Nutrition found that healthy diets can include most of their energy from UPFs. Further, we note that a narrow, tailored definition can provide policy and regulatory benefits, including supporting scientifically defensible policies and targeted interventions.

We also request that the agencies provide stakeholders with greater insight into the purpose of defining UPFs, and how the agencies envision using the definition in the future.

III. Responses to Specific Questions

1. Classification Systems

The NOVA classification system used in Brazil is widely cited in the RFI but has limitations and may not suit U.S. needs. For example, it classifies plain yogurt with added vitamin D as ultra-processed due to fortification and stabilizers, despite its recognized health benefits. Similarly, whole grain breakfast cereals with added fiber and iron may be classified as UPFs, even though they contribute positively to nutrient intake.

We caution against adoption of foreign classification systems that may seem to have appeal but have inherent drawbacks that do not account for benefits from food processing such as improvements in shelf-life, texture, and accessibility. We suggest aligning any UPF definition with established U.S. dietary norms to ensure consistency and avoid complexity from entanglement with international classification systems. The FDA's existing ingredient review and post-market tools offer a robust framework for classifying UPFs without foreign systems. While we recognize that some international frameworks, such as those in Europe, offer valuable lessons in phased implementation, our critique is directed at the classification logic itself – not the strategic rollout.

2. Ingredient Labeling

Food labels, including the nutrition facts label, can be leveraged to support public understanding. Ingredient lists offer valuable context, but they should not be the sole basis for classifying a product as ultra-processed. A balanced, science-based approach should weigh nutrient quality – favoring products with a nutrient-dense profile that contribute positively to overall diet quality – alongside the purpose and function of ingredients, and the overall food matrix and processing characteristics, not merely the presence of additives. A definition that flags additives at any stage of preparation, rather than evaluating the final product's nutrient profile, risks stigmatizing healthy options. This is especially relevant for fresh, prepared, ready-to-heat meals, which are composed of individual components and ingredients, some of which may contain functional additives (e.g., stabilizers in cheese), yet no additives are applied to the finished meal itself.

These examples illustrate how ingredient lists alone may misrepresent the nutritional value of a product:

- Pre-packaged salads may contain preservatives to ensure food safety and shelf life but are otherwise nutrient-rich.

- Plant-based meat alternatives, such as those offered by Beyond Meat and Impossible Foods, contain emulsifiers and stabilizers but serve as lower-saturated-fat options for consumers seeking alternatives to red meat.

3. Processing Methods

Processing techniques are essential for nutrient preservation, longer self-life and affordability, particularly for populations relying on food assistance programs. These methods should be recognized for their role in improving food access and safety, rather than being stigmatized.

Processing is essential for food safety, accessibility, and innovation. For instance:

-Tuna pouches are an example of a "processed" food that are easily accessible in that they can be eaten anywhere, anytime and are nutritious.

- General Mills reformulated its cereals to reduce sugar and increase whole grains while maintaining shelf stability through extrusion cooking.

- Nestlé has invested in reducing sodium and added sugars in its frozen meals while maintaining taste and texture through advanced processing techniques.

4. Terminology

Definitions should be simple and aid consumer education. Avoiding terminology that equates processing with poor nutrition is essential for clarity and informed decision-making.

The term "ultra-processed" is not well understood by consumers and may stigmatize foods that are safe and nutritious. Alternatives such as "industrially formulated" or "highly modified" may better reflect the scientific rationale. We encourage FDA and USDA to conduct consumer testing

to evaluate terminology clarity and impact.

5. Nutritional and Sensory Attributes

Attributes like energy density and palatability are relevant but should be considered alongside nutrient content. Foods can be energy dense and palatable as well as safe and nutritious – in some cases, precisely by virtue of processing by manufacturers to improve the safety and nutrition of foods. For example:

- Ready-to-eat oatmeal cups may be energy-dense but are high in fiber and whole grains.

- Shelf-stable food kits used in foodservice and disaster relief settings are designed for convenience and safety, not overconsumption.

A 2025 study in BMJ Nutrition, Prevention & Health found that while 59.8% of energy consumed in the UK came from UPFs, only 35.1% of that overlapped with foods high in fat, salt, or sugar (HFSS), suggesting that not all UPFs are nutritionally poor.

6. Implementation Considerations

Federal leadership using existing regulatory tools—such as ingredient reviews and post-market analysis—can ensure consistency across states and prevent fragmented regulations. We request support from FDA and USDA in recommending consistent state-level adoption on phased timelines once the agencies move forward with a UPF definition. Definitions must be science-based and aligned with U.S. dietary norms, rather than imported frameworks that may not reflect domestic needs.

A workable definition must be:

- Measurable using existing labeling and formulation data.

- Compatible with current regulatory frameworks.

- Flexible to accommodate reformulation, innovation, and customer needs.

We urge FDA and USDA to pilot test any proposed classification system with industry stakeholders before implementation.

Rapid implementation could limit nutritional access, raise costs, or compromise food access. An approach that is rooted in testing and validation seeds long-term solutions that the industry can manage and drive toward effectively. For example, the Non-GMO Project launched its “Non-UPF Verified” label in 2025 to help consumers identify minimally processed options. This initiative is part of a broader effort to promote food transparency and integrity, and it could inform federal efforts. European standards, which some admire, did not come about overnight. They were the result of a thoughtful and phased approach and developed scalable alternative means.

IV. Summary of Main Points

FDA is well-positioned to leverage existing tools like ingredient reviews and post-market analysis in regulating the U.S. food supply, including foods sometimes characterized as ultra-processed.

Prior to pursuing a definition for the term UPFs, we recommend that FDA and USDA engage in additional research on nutrition and impact on health outcomes. As the agencies initiate this important research, they can engage in consumer-facing initiatives designed to help consumers make informed choices with respect to nutrition and diet, build practical home-cooking skills, understand the importance of physical activity, and more.

Any definition adopted should be narrowly tailored, aligned with U.S. dietary norms, and informed by science. This approach will help to strengthen public health messaging and foster public trust. As part of this process, we encourage FDA and USDA to: (1) avoid stigmatizing preservatives and processing techniques that enhance shelf-life, affordability, and distribution, all of which are vital for food security; (2) consider a definition that does not equate processing with poor nutrition or safety; and (3) consider the potential impact on consumers' ability to access affordable, quality food products, given the regulatory frameworks the agencies administer.

V. Conclusion

In evaluating whether to develop a formal UPF definition, it is critically important for FDA and USDA to assess the science that would inform a definition and to consider perspectives that emphasize consumer education, food access, and regulatory practicality. These insights reinforce that any definition of UPF should be science based and designed to advance public health goals without sacrificing access and innovation.

We encourage the agencies to address more strongly how they intend to take subsequent action once a formal definition for UPFs is established. Clear articulation of next steps will help stakeholders prepare for implementation and foster greater alignment across industry and government.

NRF appreciates the agencies' commitment to improving public health and welcomes continued dialogue on this critical issue. We stand ready to assist in developing a definition that is scientifically sound, operationally feasible, and aligned with consumer understanding.

Sincerely,

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