



440 1st St, N.W. , Ste. 520, Washington, D.C. 20001

(202) 223-0101, Fax (202) 223-0250

[NPAinfo.org](http://NPAinfo.org)

## NEWS RELEASE

For Immediate Release

February 22, 2017

Contact: Justin Bartolomeo

(202) 789-4365

[jbartolomeo@hdmk.org](mailto:jbartolomeo@hdmk.org)

# **FDA Should Expand Structure/Function Claims Made for Infant Formula Beyond Taste, Aroma, and Nutritive Value and Include Claims Toward Physiological Effects, NPA says.**

## ***NPA Files Comments with FDA on Substantiation of Structure Function Claims Made in Infant Formula Labels and Labeling***

**WASHINGTON, D.C.** – In comments filed today to the U.S. Food and Drug Administration (FDA), the Natural Products Association (NPA) asked the agency to consider broadening structure/function claims beyond taste, aroma, and nutritive value. “I think everyone knows FDA applies the January 6, 2000 Structure Function Final Rule for dietary supplements to conventional food claims. If that is the practice, then why not just adopt that final rule for any conventional food claims, in particular infant formula structure/function claims,” states Dr. Daniel Fabricant, Executive Director and CEO of NPA.

“Substantiation guidance for infant formula is also best served coming from the Federal Trade Commission, who has the subpoena power to enforce the substantiation standard. We think FDA is better suited to publicly state that conventional food structure/function claims are measured against the dietary supplement structure function final rule.”

“It is paramount that information communicated to parents and caregivers on infant formula labels and labeling is accurate, truthful, not misleading, and substantiated with competent and reliable scientific evidence, but that message should come from the FTC,” added Dr. Fabricant. “Currently, FDA doesn’t have the authority to obtain a company’s scientific evidence to ensure the structure/function claim is accurate.”

### **Excerpts from NPA’s Comments Include:**

- *FTC should enforce and address substantiation guidance for structure/function claims made on infant formula products and other conventional foods as they do for dietary supplements.*
- *NPA recommends FDA expand structure/function claims for conventional foods (ie. infant formula) to include physiological effects.*



440 1st St, N.W. , Ste. 520, Washington, D.C. 20001  
(202) 223-0101, Fax (202) 223-0250  
NPAINfo.org

- *NPA suggests that breast milk comparison claims be excluded from FDA’s substantiation guidance for structure/function claims made in infant formula labels and labeling.*
- *NPA strongly urges FDA to expand the studies of “appropriate population” to include all of North America and not be isolated to just the U.S.*

NPA’s comments can be viewed [here](#).

#### **Natural Products Association**

The **Natural Products Association (NPA)** is *the* trade association representing the entire natural products industry. We advocate for our members who supply, manufacture and sell natural ingredients or products for consumers. The Natural Products Association promotes good manufacturing practices as part of the growth and success of the industry. Founded in 1936, NPA represents over 1,400 members accounting for more than 10,000 locations of retailers, manufacturers, wholesalers and distributors of natural products, including foods, dietary supplements, and health/beauty aids. Visit [www.NPAINfo.org](http://www.NPAINfo.org). Follow NPA on social media:

- Facebook: [Natural Products Association](#) and [The Natural Seal](#)
- Twitter: [NPA National](#) and [NPA Natural Seal](#)
- LinkedIn: [Natural Products Association](#), [Natural Products Group](#) and [Grassroots Action Network](#)

Natural Products Association: 440 1<sup>st</sup> Street, NW, Ste. 520, Washington, DC, 20001

###