

Food, Health Groups Jockey Over Ultra-Processed Food Definition

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Skye Witley

Reporter

Summary by Bloomberg AI

- The food sector and public health advocates are diverging in their efforts to shape US Health Secretary Robert F. Kennedy Jr.'s plan to establish a standardized definition of ultra-processed foods.
- Industry groups are warning that a definition is premature and could confuse consumers, while public health advocates are backing the establishment of a national definition.
- The White House hasn't specified when the definition will become public, and at least 12 stakeholder groups have scheduled meetings with the Office of Management and Budget to discuss the issue.

The food sector and public health advocates are diverging in their efforts to shape US Health Secretary Robert F. Kennedy Jr.'s plan to establish a standardized definition of ultra-processed foods that he claims are “poisoning” Americans.

Tension between the groups over the definition has reached the White House, where the American Heart Association, the Food Industry Association, and others are hoping to have the last word on the administration's approach.

The lobbying demonstrates the financial, legal, and public health stakes of establishing a federal definition for ultra-processed foods, which are industrially produced and frequently packaged. Food company CEOs in August delayed the definition's release, raising concerns it would open the industry up to **litigation** and increase costs, Bloomberg News **reported** at the time.

The White House hasn't specified when the definition—submitted as a white paper, not a formal regulatory proposal—will become public. Acting Food and Drug Administration Commissioner Kyle Diamantas has said a government definition of ultra-processed foods will fuel federal nutrition research, while Kennedy has suggested it would allow regulators to **update food labels** and block food stamp users **from buying** qualifying products with federal benefits.

Industry groups are warning a definition is premature, could confuse consumers, and would hand the plaintiffs' bar a new tool with which to sue food manufacturers, according to interviews and documents reviewed by Bloomberg Law. At least 12 stakeholder groups have scheduled meetings with the Office of Management and Budget through Sept. 22, according to the White House's [calendar](#).

"We are not supportive of any one framework nor a definition at this time if it can't be fit for purpose for what the administration is intending," Allison Cooke, director of government affairs for the International Food Additives Council, said in an interview. The council represents food ingredient and additive manufacturers and plans to meet with officials on Sept. 15.

Public health advocates, meanwhile, are backing the establishment of a national definition.

"It's the building block for any policy that comes after," said Lindsey Smith Taillie, a nutrition epidemiologist at the University of North Carolina, Chapel Hill, who helped develop an ultra-processed foods definition for US policymakers to deploy.

What's Ultra-Processed?

The concept of ultra-processed food remained largely relegated to academic and public health circles until Kennedy used his position atop HHS to spotlight it in [policy documents](#) and public appearances.

Brazilian researchers established the framework for classifying food in 2009 [to account for](#) the health effects of industrial manufacturing methods including cosmetic additive use and chemically modifying foods. Thousands of research papers investigating the health effects of ultra-processed foods have been published since then.

A 2019 [clinical study](#) conducted by former National Institutes of Health researcher Kevin Hall, for example, found this food category causes overeating and weight gain.

The Trump administration in January released [dietary guidelines](#) that recommended for the first time avoiding "highly processed foods."

Now, more than 60% of surveyed adults link ultra-processed foods to health conditions including obesity, Type 2 diabetes and heart disease, [according to](#) a Cornell University study funded by a foundation fighting diet-related disease.

‘Backdoor regulatory standard’

In meetings with the White House, food industry stakeholders have warned a definition could complicate business and sweep up healthful foods such as yogurts or whole grain bread.

The National Association of Manufacturers stressed the “real-world economic consequences” of establishing a federal definition, even if it isn’t legally binding, in its Sept. 4 meeting with White House officials, vice president of domestic policy Jake Kuhns said.

“Manufacturers will make investment decisions around it, states will legislate around it, plaintiffs will litigate around it, supply chains will respond to it, and consumers will ultimately pay for it,” Kuhns said in an email.

Ingredient suppliers are worried about ballooning supply chain costs if manufacturers decided to remove or replace additives to avoid being labeled as ultra-processed, Cooke said.

Increased food production costs could trickle down to grocery store shoppers, the Taxpayers Protection Alliance said in an Aug. 27 [letter](#) to the White House warning against the white paper becoming “a backdoor regulatory standard.”

Several groups challenged whether the research is complete enough to inform policy.

“The concept of ‘ultra-processed foods’ is not sufficiently ‘ripe’ from a scientific standpoint to serve as the basis for regulatory classification,” the Food Industry Association said in a comment [letter](#) submitted alongside its Aug. 19 meeting.

‘A massive public health failure’

One reason the ultra-processed framework attracted support from public health advocates is because it focuses on how products are made over their nutritional composition; critics have said prioritizing the latter category hasn’t improved health outcomes because manufacturers can side-step regulations by reformulating products.

“Claiming the evidence isn’t sufficient is simply not true,” Smith Taillie said. “The reason I think it’s comical is that this is a classic tactic from the industry playbook to sow confusion and present the science as being unsettled when it’s really not.”

Duke University's Healthy Eating Research, an organization that promotes improving American diets, is recommending the White House build on the Brazil framework while exempting products identified as "healthy" under the FDA's regulatory standards.

"Having a definition will not change food prices. It will not increase consumer confusion. It's looking ahead to the next step of how do we use the definition," said Megan Lott, the organization's deputy director, who met with the White House on Aug. 25.

The American Heart Association, which recommends limiting ultra-processed food intake citing research that those products increase heart disease risk, is scheduled to meet with the White House on Sept. 14 and said in an emailed statement it's pushing for a clear federal definition.

Lott and Smith Taillie acknowledged a half-baked definition has its own risks, but said that shouldn't stop the government from taking a first stab.

"To not act and spend the next decade quibbling over this definition, to me, would amount to a massive public health failure," Smith Taillie said.

To contact the reporter on this story: [Skye Witley](mailto:switley@bloombergindustry.com) in Washington at switley@bloombergindustry.com