



International Dairy Foods Association
Milk Industry Foundation
National Cheese Institute
International Ice Cream Association

July 15, 2010

Carole Davis
Co-Executive Secretary and Designated Federal Officer (DFO)
Dietary Guidelines Advisory Committee
Center for Nutrition Policy and Promotion
U.S. Department of Agriculture
3101 Park Center Drive, Room 1034
Alexandria, VA 22302

RE: Report of the Dietary Guidelines Advisory Committee on the Dietary Guidelines for Americans, 2010

Dear Ms. Davis:

We appreciate the opportunity to provide comments on the Dietary Guidelines Advisory Committee report and on the process of developing the 2010 Dietary Guidelines for Americans. The Dietary Guidelines are valuable as both a recommendation for how Americans should eat and also as the basis for federal nutrition programs, such as the National School Lunch Program. As such, we were pleased to see the report acknowledge the importance of lowfat and fat free milk and milk products in the American diet.

IDFA represents the nation's dairy manufacturing and marketing industries and their suppliers, with a membership of 550 companies representing a \$110-billion a year industry. IDFA is composed of three constituent organizations: the Milk Industry Foundation (MIF), the National Cheese Institute (NCI) and the International Ice Cream Association (IICA). IDFA's 220 dairy processing members run more than 600 plant operations, and range from large multi-national organizations to single-plant companies. Together they represent more than 85% of the milk, cultured products, cheese, and frozen desserts produced and marketed in the United States. IDFA can be found online at www.idfa.org.

This report, and presumably the Dietary Guidelines that will be based on it, is the first to make recommendations for an unhealthy American population. With one third of adults and 16% of children currently obese¹, many Americans need guidance on losing weight and maintaining a healthy weight. While weight maintenance is essentially a matter of energy balance, there is no one single cause of energy imbalance and obesity. Therefore, there are multiple ways to help people consume fewer calories and more nutrients and get more physical activity. Different strategies will be helpful to various individuals, including portion control, specially formulated foods, substituting foods to increase the intake of nutrient-rich foods, or adding a short walk during the day. The Dietary Guidelines for Americans should emphasize these various types of strategies so that Americans have options to choose that will help them decrease calorie intake, increase nutrient intake and increase physical activity.

Specifically related to dairy products, we feel that the Dietary Guidelines for Americans should help Americans reach their recommended intake of milk and milk products by highlighting the full variety of dairy products, including flavored milk, yogurt and cheese. These products can provide valuable micronutrients that are present in dairy foods in forms that people enjoy.

Role of Dairy Products in the Diet

We applaud the committee's decision to recommend that Americans over the age of 8 consume three servings of lowfat and fat free dairy products per day, while children 8 and younger should consume two servings. Since dairy products are the major contributors of three of the four nutrients of concern with public health implications identified in this Advisory Committee report, calcium, potassium and vitamin D, adequate dairy product intake is vitally important to maintaining the health of the general American population.

We were especially pleased to see the report identify milk and milk products as a category of foods whose intake should be increased. Current intake of dairy by nearly all Americans is too low: 90 to 95% of women and girls, 50% of boys and 75% to 90% of men consume less than the recommended amount of milk and milk products.² This is especially concerning for girls and young women, since these are the years of major bone-building to ensure that women enter their older years with the strongest bones in order to reduce the risk of osteoporosis. The shortfall in dairy consumption by children is particularly troubling because childhood often sets the stage for lifelong eating habits. The Advisory Committee's report highlights the committee's own concerns about this potential problem.³

With the essential nutrients that are provided by dairy products, Americans who aren't consuming enough dairy are losing out on a variety of nutrients that are important to health and wellbeing. The report identifies a number of nutrients that would be consumed at reduced levels if dairy products were eliminated from the diet: calcium, potassium, magnesium, protein, vitamin D, vitamin A. Even a reduction, rather than total elimination, of the amount of milk and milk products could reduce the intake of these nutrients.

One of the benefits of the entire portfolio of dairy products is the variety that exists. There is a dairy product for nearly every taste, occasion and nutrient interest or concern. The Dietary Guidelines can use this flexibility to the advantage of all Americans by identifying different options that can help people make choices to increase their dairy intake.

The Dietary Guidelines Should Help Americans Make Better Choices

The task of the staff of USDA and HHS is both large and significant: to translate the science of the Advisory Committee's report into food-based recommendations that people can use to improve their total diet status and therefore their health. In order to make recommendations that people can actually put into practice in their daily lives, the Dietary Guidelines should take into account the palatability, commercial availability and cost of various foods and beverages, along with their nutrient values. If the final Dietary Guidelines fail to make the recommendations of the report realistic and actionable for the general population, then this will not help turn around the obesity epidemic in this country.

In order to help Americans achieve the recommendations of the Advisory Committee technical committee, the final Dietary Guidelines for Americans should identify strategies that help children, teenagers and adults increase their consumption of dairy products. These strategies could include yogurt at breakfast or a part-skim mozzarella cheese stick as a snack instead of cookies or choosing to drink lowfat chocolate milk rather than a nutrient-void sweetened beverage.

These strategies should include small changes to help select dairy products more often or to emphasize the variety of dairy products available. Small, sustainable changes are seen as the best method of helping people make healthier choices that can then improve their long-term health. This approach has been recommended by the Department of Health and Human Services' Small Steps Initiative to help reduce obesity in the United States.⁴ In fact, small, incremental changes are recommended by the Dietary Guidelines Advisory Committee in the endorsement of the IOM's recent report on reducing sodium in the American food supply, as the best approach for reducing sodium in the American diet.^{5,6} In supporting this approach for sodium, the report indicates that encouraging stepwise changes in American diets will allow for a gradual change in American tastes and additional time for reformulation of foods and beverages that are currently available in the United States market. These same rationales for a "small step" type of

approach can apply to many of the recommendations of the report, including the increased consumption of lowfat and fat free dairy products.

In helping translate the recommendations of the technical report into the food-based recommendations of the Dietary Guidelines, USDA and HHS should take into account the forms of food that people enjoy consuming, along with the availability and cost of foods. If people aren't going to actively choose foods that provide significant amounts of nutrients, then no matter what health benefits that food may provide, people won't benefit from them.

The Dietary Guidelines Should Help People Choose More Dairy Products

With such a serious deficit in dairy consumption, and with the wide range of nutrients provided by milk and milk products, the Dietary Guidelines for Americans should recommend a variety of options so that people can choose dairy products that they enjoy and that will enable them to reach their recommended intake of dairy. Many dairy products, such as fluid milk, flavored milk, cheese and yogurt, can provide valuable nutrients, meeting the requirements of a serving of dairy products and can be appropriate choices in various situations.

Cheese

Cheese is a product that is not only widely available and very well liked, it provides a significant amount of nutrients and its consumption should be encouraged by the Dietary Guidelines. Cheese is a major source of protein and calcium in the diet and many varieties are naturally low in lactose. With the numerous varieties of cheese that are available, some are naturally lower in fat or sodium than others, allowing consumers to choose a product that meets their individual dietary needs. Many cheeses are available in portion-controlled packages, including slices, sticks and cubes. The majority of cheese that is manufactured in the United States is actually used as ingredients in other products. In this capacity, the addition of cheese to nutrient-rich foods can increase the intake of those foods.⁷

Cheesemakers have been working for many years to develop cheeses that are lower in sodium and fat while still retaining the aspects that people enjoy. In 2009, 1.2% of natural cheese and 2.4% of processed cheese sold in supermarkets were lowfat or fat free.⁸ While lowfat and fat free cheeses are not yet widely available, the progress by cheesemakers is evident in the higher levels of available reduced fat cheeses: 22% of cheese sales in 2009 were reduced fat varieties, both natural and processed.⁹ While progress has been made, there is a great opportunity to further research and develop products that lower the fat or sodium content while meeting the expectations of consumers regarding flavor, texture, and physical properties such as meltability.

While recommending and expecting people to switch from full fat cheese to fat free cheese overnight may be unrealistic, a person may be more willing to switch to reduced fat cheese or a variety of cheese with less fat than their usual choice. This small change would move that individual's diet quality in the right direction, with less fat and the same nutrients. Further small steps could continue improving the quality of their diet.

Similarly, reduced sodium versions of cheese are not widely available in grocery stores. There are some natural cheeses that do have lower sodium versions, but because of the functional properties of sodium in cheese, the shortage of suitable substitutes and regulations that govern sodium nutrient content claims, it can be very difficult to manufacture a low sodium cheese that meets consumer requirements for flavor, organoleptic qualities and shelf life. In addition to flavor, salt and sodium serves functions for food safety and shelf life as well as functions in the brine used in cheesemaking.

One of the particular problems for cheese containing less fat and sodium is to maintain the attractiveness of cheese while reducing both the sodium and fat contents. As cheeses are reformulated to reduce fat, the moisture content of these products naturally rises to compensate for the removal of fat. As a consequence, the sodium level in these products tends to be higher. Emphasizing lower sodium content within a category of cheese could have the inadvertent effect of discouraging the sales or development of lower fat versions of cheese.

The Dietary Guidelines should recommend foods that people can easily find in their grocery stores, so that they can make the best choices available to them. If Americans can't or won't choose to consume healthy foods that provide significant amounts of nutrients, they won't benefit from the nutrients those foods provide. The lack of significant amounts of lower sodium and lower fat versions of cheese supports the argument for small steps so that research can continue and the marketplace can begin to provide more options for these types of products.

Cheese is often used as an ingredient in other foods, and has both functional and proportional options that need to be considered. The nutritional value of the finished food depends on the different components used and the amounts of the different components. Developing lower fat or lower sodium versions of component foods can be especially complicated because of the various ingredients used, so the marketplace may need extra time to provide attractive healthier options of these foods.

Flavored Milk

Flavored milk is a good beverage choice, providing the same levels of micronutrients as white milk. It is a good source of many nutrients, providing at least 10 percent of the Daily Value of protein, calcium, potassium, vitamin A, vitamin D, niacin equivalents, phosphorous, vitamin B12 and riboflavin. Flavored milks are available at different calorie levels, with different levels of added sugars. Some products use non-nutritive sweeteners to reduce calories, however the requirements of the federal milk standard of identity and labeling regulations for sugar nutrient content claims can restrict this somewhat.

Over the past few decades, the per capita consumption of milk in the United States has dramatically decreased.¹⁰ This is troublesome for the nutritional status of both children and adults as this involves the loss of a variety of nutrients in the diet: calcium, potassium, magnesium, protein, vitamin A and vitamin D.¹¹ This loss of nutrients is especially concerning when the milk is replaced with nutrient-poor beverages, such as carbonated soft drinks. As milk consumption has decreased 33% since 1970, the amount of carbonated soft drinks that are available has increased by 20% between 1984 and 2008.¹² Milk needs to be at least as attractive to consumers as other competing beverages, so that they will choose to consume the option with a variety of important nutrients.

One way to get people, especially children, to drink more milk is to provide a variety of products that people want to consume, such as flavored versions. Recently, the American Heart Association released a statement on added sugars in the diet. This statement indicated that moderate intakes of added sugar are associated with higher intakes of micronutrients. The Heart Association also differentiated in the source of added sugars, with dairy foods and milk drinks identified as sources that could have a positive effect on diet quality.¹³

On average, the added sugars in flavored milk account for less than 2% of the total added sugars in American teens' diets, while sodas and fruit drinks provide more than 50%.^{14,15} At the same time, flavored milk provides the same levels of nutrients as white milk. With this fairly small contribution to total added sugars and caloric intake along with the significant micronutrient content of flavored milk, one strategy that could be useful in increasing the intake of dairy products among Americans is to encourage the consumption of flavored milk for people who prefer flavored versions.

Flavored milk can be especially helpful in getting children to consume adequate milk and dairy products. As the Committee noted, establishing milk consumption in children can be very important because that often sets the eating pattern that follows into adulthood. Because of setting eating habits and consuming adequate nutrients for learning, flavored milk can be very important in schools.

Plain and flavored milks offered in schools are being reformulated to lower fat and sugar. In fact, for the 2008-2009 school year, 93% of flavored milk sold in schools was low fat or fat free and the average calorie level for flavored milk was 6% lower than the previous year, meaning a savings of 10 calories per 8 fluid ounce serving of milk.¹⁶ Recent research has shown that removing flavored milk from schools causes students to stop drinking milk altogether, meaning that they lose out on the nutrition usually provided by milk.¹⁷ One survey examined 58 schools that removed or limited flavored milk options and found milk

consumption dropped a dramatic 35%, on average. In fact, five of the schools saw consumption drop by more than 50% according to actual analysis of the consumption data by measuring plate waste from those schools. And while one might assume that the drop in consumption is temporary, the research suggests otherwise. Forty schools that were in their second year of a limited or no flavors policy did not see students moving to white milk. Students still consumed 37% less milk in year two, on average, during days flavored milk was not available.¹⁸

Yogurt

Similar to flavored milk, yogurt is a nutrient-dense product that often contains added sugar. Yogurt is produced by culturing milk with characterizing bacterial culture that contains lactic acid-producing bacteria, *Lactobacillus bulgaricus* and *Streptococcus thermophilus*. However, the natural culturing process results in the product having a lower pH with a tart acidic taste. The federal standard of identity for yogurt requires a titratable acidity level of not less than 0.9 percent. For decades yogurt processors have used a variety of flavorings such as vanilla, citrus, berries, fruits and creative flavorings to produce a broad range of innovative products. Due to the acidity level of yogurt, additional sweeteners must be added along with the flavoring and fruit to produce the desirable taste. Yogurts are readily available in low fat and fat free versions, sweetened with nutritive sweeteners like sucrose, fructose, or honey, and to lower calories further non-nutritive sweeteners or a combination of both nutritive and non-nutritive sweeteners are used. Yogurt is a good source of calcium, protein, riboflavin, vitamin B12, and phosphorous. Some yogurts also have vitamin D added. In addition, yogurt is naturally low in lactose as a result of the culturing process. Many individuals who have trouble consuming large amounts of fluid milk can often tolerate yogurt comfortably, making this a food that is healthy and appropriate for many people.

Ice Cream

While ice cream and other frozen desserts are traditionally thought of as indulgent treats, there are still occasions where frozen desserts can help adults or children meet important nutrient needs. A variety of ice creams have been formulated to be lower in fat and sugar than traditional ice cream products, some specifically for schools. Some light ice creams are good sources of calcium. In regard to other frozen desserts, many fruit juice bars are made from 100% fruit juice. Frozen desserts such as sherbet and frozen yogurt are also being reformulated to be lower in fat and calories. Some frozen yogurt products also have added nutrients for additional nutrition. Another benefit of frozen desserts novelties is their portion control. When these products are packaged as single serving units, this makes it easy for people to consume one lowfat ice cream sandwich as a snack.

Increasing the intake of lowfat and fat free dairy and the nutrients of concern while decreasing the amount of added sugars, solid fats and sodium are important nutritional goals, so the Dietary Guidelines should help Americans move toward these goals by identifying intermediate steps that Americans can act on immediately. For example, stepping people through reduced fat options toward lowfat or fat free products helps them reduce their intake of fat and allows dairy products such as flavored milk and yogurts that contain moderate amounts of added sugar to increase the palatability of these products.

Dairy Products Are the Best Source of Nutrients for Those Concerned About Lactose

As indicated by the report, when people restrict dairy products from their diets, they lose out on the wide variety of nutrients provided by milk and dairy. While those with milk allergy should completely eliminate dairy products from their diet, people with lactose intolerance may still be able to consume some dairy products without discomfort. Most natural cheese is naturally lower in lactose and the cultures in yogurt allow for many lactose intolerant individuals to consume yogurt. Some lactose intolerant individuals can tolerate small amounts of fluid milk. Additionally, there are commercially available products that have lactase added to reduce the lactose to very low levels. A recent consensus report from a committee with the National Institutes of Health identified these strategies as potentially helpful to those persons sensitive to lactose.¹⁹ These dairy products should be the first choice for lactose intolerant individuals so that they can continue to receive the nutritional benefits of milk and milk products.

Dairy is a Relatively Inexpensive Source of Nutrients

We believe that nutrient density is an important concept to encourage in the school meal programs because a single nutrient-dense food choice can provide a variety of nutrients that are essential for health. This allows more nutrients to be provided in a lower calorie diet. This aids not only in increasing consumption of beneficial nutrients, but also assists in energy balance and weight control.

The retail cost of nutrient-rich foods may be high compared to other, less nutritious options, but the value of nutrient per dollar is excellent. According to the Bureau of Labor Statistics, the average retail cost of a gallon of milk was \$3.18 in May 2010. Per serving, this is 20 cents to provide 30% DV calcium, 10% DV vitamin A, 25% DV vitamin D, 11% DV of potassium and many other nutrients.²⁰

Since Americans with lower income often have higher risks of obesity and chronic disease, good nutrition is even more important for them. If foods and beverages that provide a variety of nutrients, such as dairy products, are affordable, then it is much more likely that people will make a healthier choice.

Cost considerations are also important when looking at the Dietary Guideline's application as the basis for federal nutrition programs as well. Often, these programs are looking to meet nutritional guidelines or requirements while keeping their costs as low as possible, in order to break even (in the case of school lunch programs) or to serve as many people as possible (as in the WIC program). Specific recommendations of low cost, high nutrient, widely accepted foods could be very useful to the administrators of these programs.

Process Comments

The following comments address the overall process of the Dietary Guidelines Advisory Committee. These do not necessarily recommend specific outcomes for the 2010 Dietary Guidelines for Americans, but will hopefully provide useful input on the 2015 Dietary Guidelines process.

Nutrition Evidence Library

We feel strongly that collecting the appropriate research and then analyzing the weight of the evidence is the best way to answer important questions related to public health and make recommendations for the Dietary Guidelines for Americans. The approach of the Nutrition Evidence Library (NEL) seems to be the best approach for identifying research that would form the basis of public health recommendations. In reading the committee's report, the Nutrition Evidence Library was not always the only source of nutrition research used to determine the committee's answers. It is unclear why different parameters, such as publication years on studies, were used in searching for the research included in the NEL. While the NEL shows significant promise in identifying the body of research on a given research question, it must be used clearly and consistently in order to promote confidence in this approach.

Transparency Issues

When USDA and HHS announced the webinar meetings of the Dietary Guidelines Advisory Committee, the accessibility for those who were not based in Washington DC was considered a strength. While this change did allow for those in other parts of the country or the world to listen in to the committee's discussion, we would recommend that the committee meet in a location where the meeting could be attended by in-person observers as well as over a webcast.

Another issue that would increase the transparency of the committee process is to make the specific research questions, or at least identify the areas of research that the committee is pursuing, earlier in the process. During the 2010 Advisory Committee, the research questions were formally identified fairly late in the process, at the fifth committee meeting held in April. This allowed no time for interested parties to submit research that was relevant to the particular research question, yet may have been overlooked in the committee's search.

Additionally, the section of the NEL that laid out the research related to dairy was not available for review online until July 6, 2010, which only allowed for 7 business days for review until the due date of written comments. IDFA, along with the National Milk Producers Federation, requested an extension to allow us

time to fully review the research used to answer the Committee's questions. However, this extension was denied by USDA staff.

Makeup of Committee

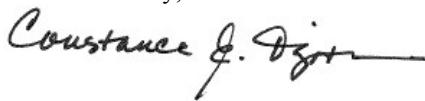
The recommendations of the Advisory Committee are wide ranging, dealing not only with nutrient needs of the American population, but also the food environment and specific approaches to change American's eating behaviors. If future committees plan to address these issues, we would recommend that future committees include experts in the areas of food economics and nutritional behavior change.

Conclusion

Overall, we ask that the agencies use the Dietary Guidelines to provide consumers options to meet the report's nutritional goals with foods that can be readily obtained at a reasonable cost and are enjoyed. As the marketplace continues to change, consumers will be presented with even more healthy choices; in the meantime we know that if consumers don't choose healthy foods because they aren't available or don't taste good, they won't move toward the healthier lives we are trying to achieve through the Dietary Guidelines.

IDFA and our member companies look forward to continuing to provide a variety of products to help Americans make healthier choices. If you need further information, please contact me.

Sincerely,



Constance E. Tipton
President and CEO

¹ Centers for Disease Control and Prevention. "Halting the Epidemic by Making Health Easier: At a Glance 2009" <http://www.cdc.gov/chronicdisease/resources/publications/AAG/obesity.htm>. Accessed July 12, 2010.

² Report of the Dietary Guidelines Advisory Committee on the Dietary Guidelines for Americans, 2010. Page D2-18.

³ Report of the Dietary Guidelines Advisory Committee on the Dietary Guidelines for Americans, 2010. Page D4-19.

⁴ Small Steps homepage. <http://www.smallstep.gov/index.htm> Accessed July 14, 2010.

⁵ Report of the Dietary Guidelines Advisory Committee on the Dietary Guidelines for Americans, 2010.

⁶ Institute of Medicine Committee on Strategies to Reduce Sodium Intake. "Strategies to Reduce Sodium Intake in the United States" April 2010.

⁷ Donnelly JE, Sullivan DK, Smith BK, et al. The effects of visible cheese on the selection and consumption of food groups to encourage in middle school students. *J Child Nutr Manag.* 34(1), 2010.

⁸ SymphonyIRI Sales Data

⁹ SymphonyIRI Sales Data

¹⁰ International Dairy Foods Association. "Dairy Facts, 2009 Edition." October 2009.

¹¹ Report of the Dietary Guidelines Advisory Committee on the Dietary Guidelines for Americans, 2010.

¹² Report of the Dietary Guidelines Advisory Committee on the Dietary Guidelines for Americans, 2010.

¹³ Johnson RK, Appel LJ, Brands M, Howard BV, Lefevre M, Lustig RH, Sacks F, Steffen LM, Wylie-Rosett J; on behalf of the American Heart Association Nutrition Committee of the Council on Nutrition, Physical Activity, and Metabolism and the Council on Epidemiology and Prevention. Dietary sugars

intake and cardiovascular health: a scientific statement from the American Heart Association. *Circulation*. 2009; 120:1011-1020.

¹⁴ Murphy M, Douglass J, Latulippe M, et al. "Beverages as a source of energy and nutrients in diets of children and adolescents." Abstract; Presented at Experimental Biology, 2005.

¹⁵ USDA FNS, Diet Quality of American School-Age Children by School Lunch Participation Status: Data from the NHANES 1999-2004, by Nancy Cole and Mary Kay Fox. Project Officer: Jenny Laster Genser, Alexandria, VA: 2008.

¹⁶ Milk Processor Education Program, Annual School Survey 2008-2009, Meal Line Milkfat Levels, Prime Consulting (2009).

¹⁷ Patterson J, Saidel M. The Removal of Flavored Milk in Schools Results in a Reduction in Total Milk Purchases in All Grades, K-12. *J Am Diet Assoc*. 2009; 109,(9): A97

¹⁸ 2009 Study "The Impact on Student Milk Consumption and Nutrient Intakes from Eliminating Flavored Milk in Schools," conducted in 58 elementary and secondary schools. Funded by the Milk Processor Education Program (MilkPEP) and conducted by Prime Consulting Group, presented at the School Nutrition Association Annual National Conference 2010. Accessed from:

<http://www.milkdelivers.org/schools/flavored-milk/>

¹⁹ National Institutes of Health. "Consensus Development Conference Statement: Lactose Intolerance and Health" February 2010.

²⁰ Bureau of Labor Statistics. Consumer Price Index, Average Price Data: Milk, fresh, whole, fortified, per gallon. <http://data.bls.gov/cgi-bin/surveymost?ap> Accessed July 13, 2010