

IDFA Food Waste Policy Position

The International Dairy Foods Association (IDFA), Washington, D.C., represents the nation's dairy manufacturing and marketing industry, which supports nearly 3 million jobs that generate more than \$161 billion in wages and has an overall economic impact of more than \$628 billion. IDFA members range from multinational organizations to single-plant companies. Together they represent approximately 90 percent of the milk, cultured products, cheese, ice cream and frozen desserts produced and marketed in the United States and sold throughout the world. The diverse membership includes numerous food retailers, suppliers and companies that offer infant formula and a wide variety of milk-derived ingredients. Visit IDFA at www.idfa.org.

Federal Preemption

Policy Position: IDFA supports uniform quality and safety related date labeling laws and regulations with regards to nomenclature, date calculation, and food donations. This uniformity can be achieved through harmonization of state laws or federal preemption. If states fail to coordinate their policies within a reasonable time, IDFA supports federal preemption of state quality and safety related date labeling laws and regulations.

Action item: IDFA will advocate for states to work through groups such as Association of Food and Drug Officials (AFDO), National Association of Dairy Regulatory Officials (NADRO), and/or National Association of State Departments of Agriculture (NASDA) to harmonize current dating laws and regulations.

Quality Date and Labeling

Policy Position: IDFA supports standardized nomenclature for voluntary quality dates¹ under the conditions below.

The quality labeling must be voluntary and can be provided with a date preceded by the term “best by” or a real-time indicator on packaging that shows whether or not a food has passed its quality life. Food companies should also provide additional language that provides proper handling and storage practices for the food, such as “Keep Refrigerated” or “Consume within X days of opening.”

Any voluntary quality date must allow for flexibility in font size and location. Additionally, food companies should be permitted to choose an appropriate place for the label, including product lids or bottom of the container.

Food companies should determine an appropriate quality date for a food based on the food's technical specifications.

¹ Voluntary quality dates refer to the date after which the quality of the product may begin to deteriorate, but is safe for human consumption.

Safety Date and Labeling

Policy Position: IDFA supports mandatory safety-related dates on foods under the conditions below.

Safety dates would only be required on foods that pose a real food safety health risk, given specific factors determined by the Food and Drug Administration (FDA) or the U.S. Department of Agriculture (USDA), should the product be consumed after such date. Ready-to-eat packaged foods that have been pasteurized or otherwise produced such that pathogenic organisms do not present a hazard must be exempt from safety date labeling.

Safety dates can be provided by a date preceded by the term “use by” or a real-time shelf indicator on packaging that shows whether or not a food is no longer safe to consume. Foods should only be required to bear one date on a package (i.e. safety or quality date, but not both). Food companies should also provide additional language that provides proper handling and storage practices for the food, such as “Keep Refrigerated” or “Consume within X days of opening.”

Safety dates must allow for flexibility in font size and location. Additionally, food companies should be permitted to choose an appropriate place for the label, including product lids or bottom of the container.

FDA and USDA should establish guidance for how food companies determine an appropriate safety date for the food.

Consumer Education

Policy Position: IDFA supports the dairy industry’s and other organizations’ efforts to develop consumer education about reducing food waste and best handling and storage practices for dairy products.

IDFA supports FDA and USDA education campaigns and guidelines that explain the meaning of quality and safety dates that are tied to consumers’ role in reducing food waste, including how to properly handle and store foods to reduce spoilage and waste.

Food Rescue and Recycling

Policy Position: State food donation laws should not prohibit sale or donations of food after the quality date, but prohibitions on sale or donation after safety dates would still be allowed.

IDFA supports additional coordination between food companies, retailers and foodbanks to handle the additional donations anticipated as a result of the elimination of state laws prohibiting food donations or sale after a quality date. Additionally, IDFA also supports programs that encourage the diversion of unsold products away from landfills to more sustainable uses, including methane digesters, compost, land application or animal feed.