

February 21, 2023

Allison Post, Chief
WIC Administration, Benefits, and Certification Branch, Policy Division
Food and Nutrition Service
1320 Braddock Place, 3rd Floor
Alexandria, Virginia 2231

Re: Special Supplemental Nutrition Program for Women, Infants, and Children
(WIC): Revisions in the WIC Food Packages [FNS-2022-0007]
Submitted via Regulations.gov

Dear Ms. Post:

On behalf of the Plant Based Foods Association (PBFA), I am submitting these comments on the proposed revisions to the WIC Food Packages. PBFA is the first and only trade association in the U.S. representing the plant-based foods industry. We currently represent over 150 of the nation's leading plant-based food companies. PBFA's mission is to champion, strengthen, and elevate our members and the plant-based foods industry. We empower the industry by advocating for government policies that allow fair competition, while expanding market opportunities for retail, distribution, and foodservice to support the industry's continued growth.

The Plant Based Foods Association defines plant-based as “foods made from plants that contain no animal derived ingredients.”

PBFA supports the proposed revisions that better accommodate participants' personal and cultural food preferences and special dietary needs. The demographics of the United States are always evolving, and we know that a growing number of WIC participants consume plant-based diets, especially for health reasons such as dairy allergies or lactose-intolerance. However, soy is not always an appropriate choice for participants. While soy milk and yogurt options are available, restrictions on other plant-based alternatives and package size availability are significant barriers to families accessing adequate amounts of approved plant-based options. Several provisions of this rule recognize this unmet demand.

Availability of other plant-based beverages

We appreciate USDA's recognition that WIC should include more non-dairy choices than soy. Due to allergen issues, among others, there remains a population that would benefit from additional plant-based milk choices. There has been a significant rise in interest for non-soy plant-based milks and yogurts in recent years, particularly for children. Consumers increasingly want both dairy and plant-based in their households.

There is great potential, including in the short-term, for plant-based milk alternatives to meet the nutrient specifications of the program. This is an industry fully committed to innovation, currently represented by innovation in plant-based protein blends. Such blends can provide protein as well as omega fatty acids and other nutrients.

Currently, plant-based milks comprise 16% of all retail milk dollar sales, and manufacturers have the infrastructure to make additional products available to retailers. We urge USDA to bear in mind lessons learned from the COVID-19 pandemic: providing greater flexibility is more equitable and less burdensome rules still lead to the desired nutritional mission of the program.

Additionally, we encourage USDA to work with the industry on nutrient requirements for plant-based milk and yogurt alternatives. As the dietary requirements of young children are specific and important for proper growth and development, nutritionally appropriate products are needed. There is debate in nutrition science about which nutrients these alternatives need to meet. Is it the key requirements of calcium and Vitamin D, or all the nutrition criteria including potassium, magnesium, Vitamin A and protein? Our industry is committed to meeting consumer needs and we recognize the evolving science on protein consumption, in particular. We would appreciate the opportunity to further engage with USDA on these nutrition questions.

Given the rapid pace of market change and consumer adoption of plant-based milks, PBFA recommends that USDA create a process for WIC (that could also be applied to other Federal feeding programs) to approve new plant-based products on a rolling basis as they meet Federal nutrient specifications. A rolling pathway for approval will allow nutritious plant-based milks to become widely available for WIC participants over time, and in a more responsive fashion than waiting for another Federal update. Additionally, State agencies should have the option to allow plant-based milks that meet nutrient specifications, as suggested for yogurt alternatives. However, Federal approval will continue to be most important for States to follow.

With the last updates to the WIC Food Packages implemented in 2014, WIC participants should not have to wait another decade before additional products are approved.

Soy-based yogurts and soy-based cheeses

PBFA supports the recommendation to add soy-based yogurts and soy-based cheeses as substitution options for cow's milk. As noted in the NASEM report, this will provide additional flexibility, variety, and choice to the Food Packages to accommodate special dietary needs and cultural and personal participant preferences. A further step would be to include plant-based yogurts and cheeses made from ingredients other than soy.

As with plant-based milks, manufacturers already have the infrastructure to make additional plant-based yogurts available that meet the proposed specifications.

Equity

PBFA strongly supports USDA's focus on accommodating personal and cultural preferences and dietary needs. Every effort must be made to avoid stigma and a situation where program participants are excluded from purchasing products they prefer among food categories offered by WIC. [With lactose intolerance affecting 30-50 million Americans](#), including 80 percent of all African-Americans and Native Americans, accessibility to plant-based milk, yogurt and cheeses is an imperative for the relevance of the WIC program.

Thank you for your consideration of our views.

Sincerely,



Nicole Negowetti
Managing Director, Plant Based Foods Institute
Vice President of Policy & Food Systems, Plant Based Foods Association