



**Response to Draft One of the
Committee on Food Security Voluntary Guidelines on Food Systems and Nutrition**
Submitted February 5, 2020

The National Milk Producers Federation (NMPF) and the U.S. Dairy Export Council (USDEC) thank the Committee on Food Security (CFS) for the opportunity to provide written comments on the draft one of the Voluntary Guidelines on Food Systems and Nutrition (“the Guidelines”).

NMPF and USDEC appreciate the changes incorporated as a result of consultations and input on the zero draft, particularly:

- Adding references to the mandate and work of science-based international standards like those set by the Codex Alimentarius
- Emphasizing the role of animal-source foods and their importance in nutritious diets
- Including the critical role of the private sector

In the context of the Decade of Action on Nutrition and as a contribution to other workstreams, for example the UN’s planned 2021 Food Systems Summit, it is especially important that CFS continue to work toward ensuring the Guidelines are based on science and international standards, consistent with CFS member states’ domestic and international legal obligations.

As a general comment, we wish to reiterate that milk and dairy foods are well-known for being naturally nutrient rich, providing an abundant supply of high-quality protein, calcium, phosphorus, potassium, iodine, and vitamins B₂ and B₁₂. This unique package of essential nutrients contributes to address all forms of malnutrition; it is associated with improved growth, micronutrient status, cognitive performance, and motor function development.¹

Increased dairy product consumption in energy restricted weight loss diets has been shown in randomized, controlled trials to help address obesity and optimize body composition (lean mass, reduced abdominal fat).² Furthermore, consumption of dairy products provides numerous health benefits related risk for some non-communicable diseases. For example, there is an inverse association between milk intake³ and colorectal cancer,⁴ as well as between total dairy intake and risk of type 2 diabetes⁵ and stroke.⁶

¹ https://www.fil-idf.org/wp-content/uploads/2019/05/Fact006_2019-Health-Benefits.pdf

² Abargouei, AS, et al. Effect of dairy consumption on weight and body composition in adults: a systematic review and meta-analysis of randomized controlled clinical trials. *Int J Obesity* 2012;1-9; Online: <https://www.ncbi.nlm.nih.gov/pubmed/22249225>

³ Drouin-Chartier JP, Brassard D, Tessier-Grenier M, et al. Systematic Review of the Association between Dairy Product Consumption and Risk of Cardiovascular-Related Clinical Outcomes. *Adv Nutr.* 2016;7(6):1026-1040.

⁴ Aune, D., et al. Dairy products and colorectal cancer risk: a systematic review and meta-analysis of cohort studies. *Ann Oncol.* 2012 Jan;23(1):37-45. Online: <https://www.ncbi.nlm.nih.gov/pubmed/21617020>

⁵ Tian, et al. Dietary protein consumption and the risk of type 2 diabetes: a systematic review and meta-analysis of cohort studies. *Nutrients.* 2017 Sep; 9(9): 982. Online: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5622742/>

⁶ Alexander, DD, et al. Dairy consumption and CVD: a systematic review and meta-analysis. *Br J Nutr.* 2016 Feb 28;115(4):737-50. Online: <https://www.ncbi.nlm.nih.gov/pubmed/26786887>

In countries that lack sufficient fresh domestic milk production, suitable infrastructure, and where incomes are low, the benefits of dairy nutrients can also be delivered as ingredients, usually in the form of powders (whey, milk) for the purpose of enriching plant-based diets that do not fully meet the population's nutrition needs. This is particularly true for children and adolescents, pregnant and lactating women, and the elderly.

For example, scientific literature documents the benefits of dairy ingredients for the management of stunting (during the first 1,000 days of life) and for aging populations, to manage conditions such as frailty, sarcopenia, high blood pressure, diabetes as well as dementia.⁷

As referenced in the dairy fact sheet accompanying the 2016 Dairy Declaration of Rotterdam, dairy is part of healthy diets and is a major contributor to helping countries achieve many of the UN Sustainable Development Goals (SDGs). Dairy products and dairy production contribute to achieving zero hunger, improving health and well-being, providing reliable livelihoods, helping to lift people out of poverty, empowering women, preserving natural resources, and much more.

NMPF and USDEC submit the following general concerns and specific comments on the Guidelines Draft One and respectfully request CFS take into consideration further revisions to reflect the role of dairy products in healthy and sustainable food systems.

General concerns

As a general comment, throughout the Guidelines, CFS should:

- Acknowledge that, due to the complexity of factors identified by the High-Level Panel of Experts and in the Guidelines, it is not possible to identify a universal “ideal” diet for health and sustainability;
- Ensure that definitions of “healthy” and “sustainable” diets do not directly or indirectly exclude or limit consumption of nutrient-dense foods, such as dairy products;
- Ensure nutrient-dense foods, such as dairy, are recognized as a critical source of key nutrients, especially for populations at high risk of nutrient insecurity such as children and pregnant women;
- Allow for the definition of “healthy diets” to reflect countries’ own national dietary guidelines;
- Ensure the Guidelines are science-based and consistent with Codex standards, as well as WTO and other international obligations;
- Ensure the Guidelines recognize the positive role of international trade in increasing access to and availability of a variety of foods, including dairy products;
- Guard against overt or disguised protectionism that decreases access to and availability of a variety of foods, including dairy products, for example by unjustifiably discriminating against imported products;
- Ensure environmental sustainability considerations are science-based and reflect the relative and absolute nutritional benefits of dairy foods;
- Carefully consider whether the voluntary guidelines will duplicate work or overlap with the mandates of other international organizations;
- Provide for review and revision to ensure progress towards reducing malnutrition;

⁷ Cuesta-Triana, F., et al. Effect of Milk and Other Dairy Products on the Risk of Frailty, Sarcopenia, and Cognitive Performance Decline in the Elderly: A Systematic Review *Advances in Nutrition*, Volume 10, Issue suppl_2, May 2019, Pages S105–S119. Online: <https://doi.org/10.1093/advances/nmy105>

Specific comments

We offer here comments on specific sections and paragraphs of the Guidelines draft one, with reference to areas where changes have been made since the zero draft and also reiterating concerns that have not yet been addressed.

Part 1 – Introduction

As in the zero draft, Part 1 provides a detailed but not exhaustive view of the current situation related to malnutrition. Given the highly variable nature of nutrition needs and food systems, the voluntary guidelines should specify that CFS is not attempting to apply a universal lens nor recommend one-size-fits-all solutions.

Paragraphs 3 and 8 We agree with the emphasis on the nutrition needs of children and adolescents, pregnant and lactating women, and the elderly and note that recommendations in part 3 should explicitly acknowledge that dairy products are uniquely suited to providing critical nutrients for these populations.

Paragraphs 11 and 12 Make overly broad and subjective assessments that should be avoided and, at times, deviate from a focus on overall diets into denigrating specific foods. There is no internationally agreed definition of “ultra-processed food and beverage,” and we request that CFS strike the term from the Guidelines.

These paragraphs should also be revised to more accurately reflect the benefits of increased choice and decreased costs for consumers, for example as a result of removing tariff and non-tariff barriers to trade. This trend provides consumers with a vast array of choices at a lower price point, allowing more people to afford diverse, nutrient-rich diets.

Paragraph 11 We request that CFS replace the final four sentences of paragraph 11 with the following text: “The enhanced interconnectedness of people and places along with rules-based international trade have helped to decrease food prices, decrease food insecurity, and increase food availability and choice. At the same time, diets and lifestyles are key risk factors for non-communicable diseases.”

Paragraph 12 Subjectively implies that all global food systems are characterized by “excessive consumption and waste” and are “inefficient in resource utilization, including labor and energy, and lead to environmental degradation.” This is not a universally accurate description and disregards many advances in delivering nutrition while protecting and preserving natural resources. In some countries, for example the United States, livestock production efficiencies are directly related delivering nutrient-dense products while decreasing environmental impact. Production efficiency varies dramatically by region.⁸

Paragraphs 14-16 Call for new policies in areas with clear links to the work and mandate of other international organizations. Paragraph 16 notes some, but not all, other relevant bodies. In particular, CFS should add here a reference to international standards developed in the Codex Alimentarius.

Paragraphs 18-27 Similarly, these paragraphs must take into account that CFS is not a standard-setting body. It is critical, therefore, that the Guidelines are consistent with all international

⁸ In the United States, about 23,000 pounds of milk is produced per dairy cow each year. In Mexico, it takes up to five cows to produce the same amount of milk as one U.S. cow.
https://www.agriculture.senate.gov/imo/media/doc/Testimony_Mitloehner_05.21.2019.pdf

standards and obligations and do not duplicate or undermine work in relevant standard-setting bodies. CFS member states must also ensure that any implementing actions are consistent with their own domestic and international legal obligations.

Part 2 - Key Concepts and Guiding Principles

Paragraph 30 We previously expressed concern about the zero draft's definition of "healthy diets." Draft one introduces a new definition of "sustainable and healthy diets," drawn from the 2019 FAO/WHO Guiding Principles on Sustainable Healthy Diets. We note with concern that the FAO/WHO Guiding Principles were not agreed by member states and appear to have been developed by a small group of experts chosen by FAO and WHO but without public or member state consultation.

We appreciate that the FAO/WHO Guiding Principles on Sustainable Healthy Diets specifically include dairy consumption, but we request the CFS Guidelines acknowledge there is no internationally-agreed definition of "healthy" or "sustainable" diets. As we noted in comments on the zero draft, the Guidelines should also explicitly acknowledge (as in the WHO fact sheet on healthy diets) that "The exact make-up of a diversified, balanced and healthy diet will vary depending on individual characteristics (e.g. age, gender, lifestyle and degree of physical activity), cultural context, locally available foods and dietary customs."⁹

The CFS should ensure that no definition or interpretation of diets as applied in the voluntary guidelines would exclude or restrict consumption of dairy products. Dairy products are a critical source of essential nutrients of public health concern including calcium, magnesium, selenium, riboflavin, vitamins B5 and B12.¹⁰ FAO's own guidelines recommend at least one serving of milk daily, with some countries recommending up to three servings per day.¹¹ There is no scientific justification to minimize the role of dairy products in a healthy diet.

Paragraph 34 Introduces very broad guiding principles, with a footnote noting these guiding principles are drawn from existing internationally-agreed tools and declarations. The origins of the principles, however, are still not detailed. CFS should specify the existing internationally-agreed documents that support any each guiding principle and should ensure that all guiding principles are consistent with all relevant standards and international obligations.

As an example, it is still not clear what existing internationally-agreed documents support guiding principle (d) - "Healthy people, healthy planet." To the extent CFS is to further develop guiding principles and/or policy recommendations related to environmental sustainability and nutrition, CFS should ensure the Guidelines are based on scientific evidence, including evidence relating to environmentally efficient production practices for nutrient-dense foods like dairy that are critical sources of nutrients of public health concern.

We appreciate the addition of science in subpoint 34(a) and the new subpoint 34(c) on "Governance and accountability." We note the importance of including dairy producers and processors in "transparent and inclusive decision-making processes."

Part 3 - The Voluntary Guidelines on Food Systems and Nutrition

⁹ <https://www.who.int/news-room/fact-sheets/detail/healthy-diet>

¹⁰ <http://www.dairydeclaration.org/Portals/153/FAO-Global-Facts.pdf?v=1>

¹¹ <http://www.fao.org/nutrition/nutrition-education/food-dietary-guidelines/en/>

Part 3 represents entirely new text, as part 3 in the zero draft included only “initial issues and topics” to be discussed for further development of the Guidelines. We note with concern the tremendous breadth and depth of policy issues now introduced in Part 3, many of which appear to fall outside of CFS scope and expertise.

We offer here a selection of specific comments, but we note Part 3 will require substantial refinement and revision to ensure precise definitions, concepts, and recommendations that remain within CFS’ role and expertise and do not duplicate or undermine the work of other international organizations.

3.1.2(a) We agree that global nutrition policies should be developed in coordination across countries’ sectors, ministers, and agencies. It is for that reason that we are concerned CFS not conclude recommendations that are not appropriately coordinated with, for example, agriculture, trade, and economic perspectives. We also note that placing greater emphasis on the implementation and use of international standards, like those developed and published by Codex Alimentarius, will help achieve this goal. Codex epitomizes a development process that allows input across countries, ministries and sectors. It is essential that greater emphasis be placed on the value of Codex standards in this section.

3.1.3(b) CFS is not the appropriate forum in which to decide the objectives of bilateral and multilateral trade agreements. CFS should not state or imply that international trade undermines nutrition actions or outcomes. The Guidelines should affirm the role of rules-based international trade in improving access to and availability of nutrient-dense foods. CFS should revise this paragraph as follows: “Rules-based international trade improves access to and availability of nutrient-dense foods. States should remove unnecessary barriers to trade, pursuant to national and international legal obligations.”

Paragraph 38 We appreciate the addition of the private sector as a critical stakeholder and agree with the call for including the private sector in inclusive dialogue.

3.2.1(h) We appreciate the inclusion of animal-source food in references to promoting biodiversity.

3.2.2(c) We appreciate the emphasis on livestock farming’s contributions to farmer livelihoods, income, and supplying key nutrients for health and wellbeing.

3.2.2(f) We appreciate the addition of animal-sourced food in references to supporting investment in research and innovation. Efficient dairy production practices deliver nutrient-dense foods while protecting natural resources.

3.2.3(a) We agree with the need to improve storage and transportation, including but not limited to cold storage. Cheese can provide the same nutrients of public health concern and has a longer shelf life than fresh milk. In countries that lack sufficient domestic milk production or suitable infrastructure (e.g. cold storage), and where incomes are low, the benefits of dairy nutrients can also be delivered as ingredients, usually in the form of powders (whey, milk) for the purpose of enriching plant-based diets that do not fully meet the population’s nutrition needs. This is particularly true for children and adolescents, pregnant and lactating women, and the elderly.

3.2.3(d) There is no scientific consensus nor internationally-agreed definition of “highly-processed food” or any impact of food processing on health outcomes. We request CFS strike the last sentence of this paragraph.

3.2.3(e) and (f) We request CFS revise this paragraph to be consistent with the political declaration of the 2017 UN High Level Meeting on NCDs, in which heads of state committed to: “(23) Implement cost-effective and evidence-based interventions to halt the rise of overweight and obesity, in particular childhood obesity, taking into account World Health Organization recommendations and national priorities...”¹²

The issues of food warning labels, taxes, and product formulation and reformulation are substantially more complex than can appropriately be dealt with in these subpoints. Food warning labels and taxes based on specific nutrients incorrectly imply that individual foods can be deemed “healthy” or “unhealthy,” which is not consistent with scientific evidence on the importance of overall balanced diets, nor is the recommendation in 3.2.3(e) consistent with international standards. Codex is currently undertaking work on nutrition labeling, including front-of-pack labels, which CFS should not seek to duplicate or undermine.

As one example of the negative consequences of such recommendations, proposals to target products that contain sugar could be used to inappropriately restrict children’s access to flavored milk. Evidence does not support such restrictions. In fact, both flavored and unflavored milk provide protein, calcium, and 14 other essential nutrients.

The American Heart Association has found that flavored milk consumption by children is associated with better-quality diets and has no adverse effect on weight.¹³ Children who consume flavored milk are more likely to reach their daily recommended intake of calcium and less likely to consume low-nutrient beverages such as soda and sugary juice drinks.¹⁴

Removing flavored milk from schools has been shown to result in a 62-63% reduction in milk consumption by kids in K-5th grades, a 50% reduction in milk consumption by adolescents in 6th-8th grades, and a 37% reduction in milk consumption in adolescents in 9th-12th grades.¹⁵

Milk consumption is not associated with increased obesity rates. In the United States, for example, milk consumption has been declining over the past several decades, even as obesity rates have increased.¹⁶

3.2.6 CFS should add in subpoints (a), (d), and (e) that improved livestock production efficiency is a key method to deliver nutrient-dense food while reducing environmental impact. In some countries, for example, the United States, dairy has made major progress in decreasing environmental impact while increasing availability of nutrient-dense foods.¹⁷ Efficient dairy production practices deliver nutrient-dense foods while protecting natural resources. Further development of recommendations and implementing actions in this area should be based on evidence of relative and absolute nutrition benefits and environmental impacts.

3.2.8 As noted in our comments on the zero draft, antimicrobial resistance (AMR) is the subject of extensive ongoing work in other international fora and standard-setting bodies. We appreciate draft one’s addition of references to the Codex, but the draft does not comprehensively specify the

¹² https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/73/2

¹³ Johnson RK et al. Dietary sugars intake and cardiovascular health. A Scientific Statement from the American Heart Association. *Circulation* 2009; 120:1011-1020.

¹⁴ Frary CD, Johnson, RK, Wang MQ. *Journal of Adolescent Health* 2004;34, 56-63.

¹⁵ 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.

¹⁶ <https://www.ers.usda.gov/amber-waves/2013/september/americans-not-drinking-milk-as-often-as-their-parents-did/>

¹⁷ <https://dairysustainabilityframework.org/wp-content/uploads/2019/01/Climate-Change-and-the-Global-Dairy-Cattle-Sector.pdf>

relevant competent organizations (including the World Organization for Animal Health), nor does it make clear how CFS' mandate or expertise would result in policy recommendations in this area that do not undermine or duplicate other work. Unless these concerns are addressed, the Guidelines should delete reference to AMR, particularly subpoint (d).

3.4.2(a) National dietary guidelines should be based on scientific evidence. Should countries wish to include other factors such as “social, cultural, economic, ecological and environmental drivers” based on their own national circumstances, these additional factors should not be in conflict or inconsistent with scientific evidence on nutrition.

3.4.2(b) and (c) As noted in our comments on 3.2.3(e) and (f) we request CFS revise this paragraph to be consistent with the political declaration of the 2017 UN High Level Meeting on NCDs, in which heads of state committed to: “(23) Implement cost-effective and evidence-based interventions to halt the rise of overweight and obesity, in particular childhood obesity, taking into account World Health Organization recommendations and national priorities...”¹⁸

Promotion, marketing, advertising, and labeling are subject to multiple existing national and international recommendations (e.g., WHO Set of Recommendations on Marketing of Foods and Beverages to Children¹⁹) and standards (e.g., Codex Guidelines on Nutrition Labeling²⁰, as well as ongoing standards-development (for example, in the Codex Committee on Food Labeling with regard to supplemental nutrition information on food labels).

CFS should not introduce new concepts or policy recommendations that conflict with, undermine, or duplicate existing recommendations, standards, or the work and mandate of other international organizations. In addition, these are policy areas where CFS does not have the relevant expertise to make appropriate recommendations.

3.4.2(d) CFS should clarify what is meant by “the full set of WHO recommendations on the marketing of breast-milk substitutes and of food and non-alcoholic beverages to children.” Not all WHO recommendations have been endorsed by the World Health Assembly. In addition, CFS recommendations in this area should not duplicate or undermine Codex standards, including standards impacting dairy products for young children. We request that CFS add the following sentence to this section: “The production, distribution, sale and use of follow-up formula for older infants and [name of product] for young children should be consistent with national health and nutrition policies and relevant national/regional legislation, and take into account, the recommendations made in the International Code of Marketing of Breast-milk Substitutes (1981) and the Global Strategy for Infant and Young Child Feeding, as appropriate.”

3.6.2(a) CFS should revise this sentence to include dairy as an example: “States and humanitarian organizations should pay particular attention, protection, and facilitate access to nutritious food (e.g. dairy) and nutritional support...”

3.6.3(c) Any policy recommendations related to facilitating local procurement and market opportunities for smallholders should emphasize removing barriers to competition but should not directly or indirectly enable measures that unnecessarily restrict trade. For example, market facilitation policies could help:

- Improve smallholders' capacity to comply with food safety requirements;
- Improve infrastructure and investment to connect farmers to markets;
- Increase transparency, consistency, and fair competitive practices in public procurement;

¹⁸ https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/73/2

¹⁹ <https://www.who.int/dietphysicalactivity/publications/recsmarketing/en/>

²⁰ <http://www.fao.org/3/Y2770E/y2770e06.htm>

- Eliminate non-science based barriers that limit intermediate trade and development of value chains.

Conclusion

Thank you again for the opportunity to provide our thoughts on these vitally important matters. We thank CFS for seeking input on the Guidelines, and we look forward to continued dialogue.

Submitted by:

Shawna Morris
Vice President, Trade Policy
NMPF, USDEC