



# Reminder: Opportunity to comment on draft “healthy” symbols for FDA’s planned consumer research

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The U.S. Food and Drug Administration (FDA) has released draft options for a new voluntary “healthy” symbol for packaged foods to depict the nutrient content claim.

## Draft “healthy” symbols for planned consumer research

As previously noted, on 7 May 2021 the FDA issued a notice that it intends to conduct preliminary consumer research on symbols that could be used voluntarily to convey that the nutrient content of a packaged food is “healthy.”<sup>[1]</sup> One of the appendices to the notice includes draft “healthy” symbols for this planned testing, which are copied below.



In addition to the colored symbols pictured above, the FDA also plans to test black and white versions. The FDA also intends to test a “no information” condition where no explanation of the symbol is provided, as well as a Uniform Resource Locator (URL) condition, in which a URL is tested alongside the symbol, presumably to provide additional information explaining the meaning of the symbol.

These symbols would be included voluntarily on packaged foods that meet the “healthy” criteria that the FDA is in the process of updating as part of the agency’s Nutrition Innovation Strategy. Although the notice itself is a fairly standard procedural notice, it provides a good opportunity to comment on the draft symbols as well as the limited details the FDA has released regarding the planned consumer research. Comments are due Tuesday, 6 July 2021.

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## Next steps

We will continue to monitor developments related to nutrient content claims, the voluntary “healthy” symbols, and the Nutrition Innovation Strategy. Please feel free to contact us if we can provide any assistance in developing comments in response to the quantitative consumer research effort.

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## References

- 1 Hogan Lovells, FDA to test voluntary “healthy” symbols through consumer research (7 May 2021) available at: <https://www.engage.hoganlovells.com/knowledgeservices/news/fda-to-test-voluntary-healthy-symbols-through-consumer-research>.

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