

May 23, 2019

Dear Food Industry,

Food waste is a major concern in the United States. The U.S. Department of Agriculture's (USDA's) Economic Research Service estimates that 30 percent of food is lost or wasted at the retail and consumer level.<sup>1</sup> This means Americans are throwing out approximately 133 billion pounds of food worth \$161 billion each year.<sup>2</sup>

Manufacturers of packaged foods voluntarily use a wide variety of introductory phrases on product date labels, such as "Best If Used By," "Use By," and "Sell By," to describe quality dates to indicate when a food may be at its best quality. In a 2007 survey of U.S. consumers conducted on knowledge and use of open dates (i.e. calendar dates) used on product date labels for common packaged foods, less than half were able to distinguish between the meanings of three different introductory phrases that often appear before the calendar date on the product label: "Sell By", "Use By", and "Best If Used By".<sup>3</sup> The Food and Drug Administration (FDA or we) has found that food waste by consumers may often result from fears about food safety caused by misunderstanding what the introductory phrases on product date labels mean, along with uncertainty about storage of perishable foods.<sup>4</sup> It has been estimated that confusion over date labeling accounts for approximately 20 percent of consumer food waste.<sup>5</sup>

Industry, government, and non-profit organizations have been working to reduce consumer confusion regarding product date labels. Consumer research has found that the "Best If Used By" introductory phrase communicates to consumers the date by which the product will be of optimal quality.<sup>1</sup>

FDA has engaged in consumer education to raise awareness of food waste, reduce confusion regarding voluntary quality-based date labeling, and provide advice on food storage best practices to reduce waste. In our outreach to consumers, we note that quality dates indicate the food manufacturer's estimate of how long a product will retain its best quality. If stored properly, a food product should be safe, wholesome, and of good quality after the quality date.<sup>4</sup>

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<sup>1</sup> USDA "Food Product Dating." Available at: <https://www.fsis.usda.gov/wps/portal/fsis/topics/food-safety-education/get-answers/food-safety-fact-sheets/food-labeling/food-product-dating/food-product-dating>

<sup>2</sup> USDA "Tips for Reducing Food Wastes and Preventing Illness." April 18, 2016. Available at: <https://www.fsis.usda.gov/wps/portal/fsis/newsroom/news-releases-statements-transcripts/news-release-archives-by-year/archive/2016/nr-041816-01>

<sup>3</sup> Kosa, Katherine, et al. (2007) *Consumer Knowledge and Use of Open Dates: Results of a Web-Based Survey*. Journal of Food Protection, 70:5, 1213-1219. Available at: <https://jfoodprotection.org/doi/pdf/10.4315/0362-028X-70.5.1213>

<sup>4</sup> FDA "How to Cut Food Waste and Maintain Food Safety." Available at: <https://www.fda.gov/Food/ResourcesForYou/Consumers/ucm529381.htm>

<sup>5</sup> ReFed "Standardized Date Labeling." Available at <https://www.refed.com/solutions/standardized-date-labeling>

Consistent with consumer research, in 2016, USDA issued updated information on food product date labeling.<sup>1</sup> To help reduce consumer confusion and food waste, the USDA update encouraged food manufacturers and retailers who want to apply a quality-based date label to use the “Best If Used By” introductory phrase to convey to consumers that the product will be of best quality if used by the calendar date shown.<sup>1</sup> Further, USDA emphasized that “foods not exhibiting signs of spoilage should be wholesome and may be sold, purchased, donated and consumed beyond the labeled ‘Best If Used By’ date.”<sup>1</sup>

In 2017, the Grocery Manufacturers Association (GMA) and Food Marketing Institute (FMI) brought together 25 consumer packaged goods and grocery retail companies to “simplify and streamline” product date labels to reduce consumer confusion. In January 2017 the group recommended the use of two introductory phrases for product date labels: “Best If Used By” and “Use By.” The group recommends “Best If Used By” be used to “indicate to the consumer that, after a specified date, the product may not taste or perform as expected but is safe to be used or consumed.”<sup>6</sup> The group recommends that “Use By” “applies to perishable products that should be consumed by the date on the package and discarded after that date.”<sup>6</sup> In a December 2018 consumer survey on the impact of the streamlined labels, GMA found that 88 percent of those surveyed said the streamlined product date labels were clear to them and 85 percent said the streamlined product date labels were helpful.<sup>6</sup>

As approximately 80% of the foods in the US are regulated by the FDA, we would like to inform our regulated food industries that FDA strongly supports industry’s voluntary industry-wide efforts to use the “Best if Used By” introductory phrase when choosing to include a quality-based date label to indicate when a product will be at its best flavor and quality.

While GMA and FMI have recommended the use of the introductory phrase “Use By” to indicate the date by which products should be consumed or discarded for safety reasons, FDA is not addressing the use of a “Use by” product date label for safety reasons at this time.

While standardizing the use of date labels for quality reasons is encouraged as a best practice, we know that labeling is not enough. FDA supports ongoing consumer education efforts by industry, government, and non-government organizations to educate consumers on what quality-based date labels mean and how to use them to further reduce food waste in the home.

Sincerely,



Frank Yiannas  
Deputy Commissioner  
Food Policy and Response

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<sup>6</sup> Grocery Manufacturers Association (GMA), “Best if Clearly Labeled: How the Consumer Packaged Goods Industry is Reducing Confusion and Food Waste.” Available at: <https://www.gmaonline.org/file-manager/Best%20if%20Clearly%20Labeled%20FINAL%20Small%20File.pdf>