

The Children's Food & Beverage Advertising Initiative

Category-Specific Uniform Nutrition Criteria, 2nd ed. 2018 White Paper

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Executive Summary

The Children's Food and Beverage Advertising Initiative (CFBAI) is a voluntary program created to improve food advertising directed to children under the age of 12 to help address concerns regarding childhood obesity. Currently 18 leading U.S. food and beverage and restaurant companies participate in the program, which is administered by the Council of Better Business Bureaus. Participants, who represent the majority of child-directed food advertising in the U.S., pledge to advertise only those foods or beverages that meet the Uniform Category-Specific Nutrition Criteria established by CFBAI in 2011 ("2011 Criteria"), or to not advertise foods to children at all. CFBAI has updated and strengthened its 2011 Criteria as the Category-Specific Uniform Nutrition Criteria, 2nd ed. ("Revised Criteria"). This White Paper provides the rationale and basis for the Revised Criteria.

With the release of the 2015-2020 Dietary Guidelines for Americans and the Food and Drug Administration's (FDA's) first major update to the Nutrition Facts Panel ("NFP") in over 20 years, it was judicious and timely for CFBAI to review its 2011 Criteria to ensure that they reflected the most current scientific recommendations and government standards. CFBAI also considered other relevant standards, including the U.S. Department of Agriculture's (USDA's) Smart Snacks standards that govern the sale of competitive foods in schools, regulations regarding the National School Lunch and School Breakfast Programs, and certain third-party nutrition standards and guidance. Additionally, CFBAI sought feedback from many organizations working to improve children's diets and reduce childhood obesity, through one-on-one discussions and in a roundtable discussion held at the 2016 Partnership for a Healthier America Summit. CFBAI's review sought to ensure that the program maintains its robust and meaningful approach to driving improvements in food advertising to children.

The Revised Criteria implementation date has been set for January 1, 2020 to coincide with the implementation date for FDA's Nutrition Facts and Supplement Facts Label and Serving Size final rules. Companies may use the Revised Criteria as of September 20, 2018. Due to the stricter requirements adopted in the Revised Criteria, CFBAI estimates that about 40% of the foods on its current Product List will need to be reformulated in order to continue to qualify for child-directed advertising.

CFBAI Revised Uniform Nutrition Criteria Highlights

- **The food categories are more transparent and descriptive.** The Revised Criteria include new categories for foods that previously were bundled together in one broad category. The new categories have more rigorous requirements that better recognize the different dietary roles of the foods and their varied nutrient or ingredient compositions.
- **To align with the new NFP, CFBAI has adopted an "added sugars" criteria.** The new criteria replaces "total sugars" used in the 2011 Criteria.
- **Key categories have stricter sodium and added sugars limits.** The Dietary Guidelines and numerous health organizations urge Americans to reduce their sodium and added sugars consumption. In response to these recommendations, CFBAI has reduced sodium limits in thirteen of the seventeen categories, and estimates that the new added sugar limits represent at least a 10% reduction in key categories such as Milks, Cereals, Savory Snacks, Sweet Snacks and Exempt Beverages.
- **The food group and positive nutrient requirements have been strengthened in important ways.** The whole grain foods criteria has been revised to ensure foods contribute a

meaningful amount of whole grains; more food groups now are required in the Main Dishes and Meals categories; certain categories now may qualify if the first ingredient is a food group; and the nutrient-based qualification requirements are more rigorous because they have been limited to nutrients that the DGA identify as “under-consumed,” with an exception for one category.

- **40% of foods on CFBAI’s current Product List will need reformulation in order to qualify for child-directed advertising after the January 1, 2020 implementation date.**

The Revised Criteria are the latest step in CFBAI’s ongoing commitment to improve child-directed advertising and encourage healthier food choices for children. When CFBAI was launched in 2007, participants used company-specific nutrition criteria, approved by CFBAI’s administrator, to determine the foods they could advertise to children. This changed when CFBAI adopted the 2011 Criteria, which were implemented December 31, 2013. Since the adoption of the 2011 Criteria, participants have reformulated foods within their product portfolios (sometimes multiple times) and developed new foods to meet the criteria. As a result, child-directed food advertising has significantly improved. The Federal Trade

Commission (FTC), former First Lady Michelle Obama, and others have acknowledged CFBAI’s progress in improving the children’s food advertising landscape. Below are some examples of improvements:

- All cereals on CFBAI’s Product List now contain less than 10 grams of total sugars, and more cereals now provide a half-serving or more of whole grains (80% in 2017 compared to 20% in 2009);
- Participants have reduced the sugar in yogurts on CFBAI’s Product List by 10-25%;
- Quick-serve restaurant participants have increased the amount and variety of fruit and dairy offerings in advertised meals;
- Overall, advertised foods are nutrient-dense. In CFBAI’s 2017 snapshot of food advertising on children’s TV, over 90% of participant ads were for foods that provided at least a half-serving of fruits, vegetables, whole grains or non/low-fat dairy or that were a good source of a nutrient of public health concern such as Vitamin D.

The Revised Criteria build on the transparency and strength of the 2011 Criteria and will spur further improvements in foods depicted in child-directed advertising.

I. Introduction

A. Background on the Development of the Revised Uniform Nutrition Criteria

The Children’s Food and Beverage Advertising Initiative’s Category-Specific Uniform Nutrition Criteria, 2nd ed. (“Revised Criteria”) are the result of an objective and comprehensive review that has systematically improved its 2011 Uniform Nutrition Criteria (“2011 Criteria”). The Revised Criteria will go into effect no later than January 1, 2020,¹ and companies may use the criteria as of September 20, 2018.

CFBAI’s Core Principles commit that the nutrition standards used to determine what foods may be advertised to children under the program are consistent with established scientific and/or government standards. In the 2011 White Paper, published to explain the basis for the 2011 Criteria, CFBAI committed to review the criteria periodically, and specifically to do so when the 2015-2020 Dietary Guidelines (“DGA 2015”) were issued.² Accordingly, CFBAI’s nutrition review focused on the DGA 2015, issued in January 2016. When the Food and Drug Administration (FDA) completed its first overhaul of food labeling regulations in over 20 years later in 2016, CFBAI’s review expanded to consider the possible impact of food labeling changes. The addition of added sugars to the Nutrition Facts Panel (“NFP”) and changes to the Reference Amounts Customarily Consumed (RACCs) that serve as the basis for labeled serving sizes (LSS) for foods were particularly relevant to CFBAI’s review.

CFBAI also wanted external stakeholder input to help the program make more informed decisions, and thus sought feedback regarding the 2011 Criteria from individuals and organizations interested in and knowledgeable about childhood obesity and nutrition issues, including public health groups, academics, and advocacy groups. CFBAI held a series of one-on-one meetings and invited

key stakeholders to a roundtable hosted by CFBAI and the Partnership for a Healthier America (PHA) at the 2016 PHA Summit.

B. Impact of the Revised Criteria

CFBAI has adopted improvements that impact every category. The food categories are more transparent and descriptive. The criteria now use “added sugars” rather than “total sugars” to align with the new NFP. There are sodium reductions in 13 of 17 categories, added sugars reductions in many categories, and the Nutrition Components to Encourage (“NCTE”) requirements have been strengthened in important ways, including an updated criteria for whole grain foods that ensures foods contribute a meaningful amount of whole grains; more food groups required in categories that typically make significant contributions to children’s overall daily diet (Main Dishes and Meals); and the nutrient-based qualifiers have been made more rigorous by limiting them to “under-consumed” nutrients rather than “essential” nutrients, with an exception for one category. About 40% of the foods on CFBAI’s current product list (“Product List”)³ do not meet the new Revised Criteria and will require reformulation to continue to qualify for child-directed advertising.

The Revised Criteria set NTL maximums and NCTE minimums for individual foods and meals to reflect meaningful, challenging and practical changes that will spur improvements in foods depicted in child-directed advertising. Also, some participants may have stricter internal guidelines or criteria to address ongoing marketplace changes or to reflect company policies. The Revised Criteria, as well as the relatively short timeframe for implementation (less than 18 months), will impose significant challenges for participants, most of whom at the same time are implementing the new NFP requirements for thousands of products.

C. The 2018 White Paper

Feedback from multiple stakeholders has indicated that CFBAI's 2011 White Paper was valued because it thoroughly explained the Uniform Criteria and supported the program's objectives of transparency and accountability. It is intended that this White Paper similarly will support understanding of the Revised Criteria. The 2011 Criteria and thus the supporting rationales outlined in the 2011 White Paper served as the starting point for the Revised Criteria. For this reason, the 2018 White Paper does not reiterate all of the foundational information.

At the same time, this White Paper incorporates background information from 2011 where such information is useful to understanding the Revised Criteria.

Part II of this White Paper provides background on CFBAI, Part III discusses the review process that led to the Revised Criteria, and Part IV explains the rationale for the key changes in the Revised Criteria. Part V, "Looking Ahead," discusses implementation plans and CFBAI's commitment to continued program improvement.

NOTES

¹The Revised Criteria will be incorporated into the CFBAI's Core Principles and Program Statement, and will apply to participants that engage in advertising primarily directed to children under 12 after January 1, 2020. Other participants likely will continue their commitments to not engage in child-directed advertising. Participants may begin advertising foods that meet the Revised Criteria as of the announcement date of the criteria.

²The 2011 White Paper is available at <https://bbbprograms.org/siteassets/documents/cfbai/white-paper-on-cfbai-uniform-nutrition-criteria-july-2011.pdf>.

³CFBAI publishes its Uniform Nutrition Criteria and a list of the foods that meet those standards ("CFBAI's Product List" or "Product List") that participants may choose to include in child-directed advertising.

II. Background on CFBAI: 10+ Years of Progress

CFBAI's revision of its Uniform Nutrition Criteria represents the latest in a series of program improvements and marketplace impact. Launched in 2007, CFBAI was created to respond to calls from the Federal Trade Commission (FTC)⁴ and Institute of Medicine (IOM)⁵ for self regulation to do more to address food advertising to children in light of the increase in childhood obesity.⁶ Specifically, IOM recommended that companies shift their child-directed advertising to foods that are lower in calories, fats, sodium and sugars, and that are higher in positive nutrient content. CFBAI's goal was to improve the mix of child-directed advertising⁷ to encourage healthier dietary choices.

When the program started, each company was responsible for developing an individual commitment (called a "pledge") to address how it would meet CFBAI's Core Principles regarding advertising on covered media ("child-directed advertising") and to not advertise in elementary schools.⁸ Participants that advertised to children used company-specific nutrition criteria, approved by the program administrator, to determine the foods they could advertise to children under age 12, and some companies pledged to not advertise foods to children at all. After CFBAI adopted its Uniform Nutrition Criteria, participants committed to advertise only foods that meet these criteria. Participants agree to CFBAI oversight and monitoring, to submit comprehensive self-assessments that provide detailed information on their compliance procedures and advertising during the year, and to be held accountable for failure to comply with their pledges. CFBAI publishes annual compliance and progress reports that assess participants' compliance, the changes that have occurred in advertising to children, and the improvements in the foods participants advertise.⁹

Since 2007, CFBAI has adopted a series of important program enhancements that have

improved the children's food advertising landscape, including an increase in the number of participating companies from the original 10 to the current 18; the expansion of media coverage to mobile as well as online digital media; harmonization of the definition of "child-directed" advertising; and, most importantly, adoption of the Uniform Nutrition Criteria in 2011 (implemented December 31, 2013). In 2016, CFBAI created the Children's Confection Advertising Initiative (CCAI) to expand the impact of self-regulation to include small-to-medium sized confection companies that commit to not engage in child-directed advertising.

CFBAI's yearly analyses of ads that air during 30-hour samples of children's TV programming (still the most popular medium for children under age 12¹⁰) show that CFBAI's reach and impact is substantial, as CFBAI participants consistently have accounted for about 70% of all food ads.¹¹ The FTC's 2012 report on children's advertising expenditures showed CFBAI's impact with CFBAI participants' ad expenditures accounting for 89% of all the food ad expenditures to children (based on 2009 data).¹²

The FTC,¹³ former First Lady Michelle Obama¹⁴ and others¹⁵ have acknowledged the improvements CFBAI has accomplished in the children's food advertising landscape. CFBAI's design and success have made it a model for food and beverage advertising pledge programs in countries across the globe, for media companies¹⁶ and served as an inspiration for individual food companies with a children's food portfolio. Most importantly, CFBAI's Uniform Nutrition Criteria have driven many nutritional improvements in advertised foods. Foods commonly advertised to children by participants (e.g., cereals, yogurts, and meals) now generally contain less sugar or sodium, and more whole grains, fruit or vegetables and vitamins and minerals, such as Vitamin D. The Revised Criteria are intended to deliver further improvements in advertised foods.

NOTES

⁴The FTC recommendation emerged from a joint FTC/HHS workshop conducted in July 2005 on “Perspectives on Marketing, Self-Regulation and Childhood Obesity,” and a follow up report on the workshop that FTC/HHS jointly issued in April 2006. See <http://ftc.gov/os/2006/05/PerspectivesOnMarketingSelf-Regulation&ChildhoodObesityFTCandHHSReportonJointWorkshop.pdf> at 50-51.

⁵IOM, *Food Marketing to Youth: Threat or Opportunity* (2006).

⁶CFBAI also was designed to supplement the Council of Better Business Bureau’s existing children’s self-regulation program, the Children’s Advertising Review Unit (CARU). Since the 1970s, CARU has promoted responsible children’s advertising and has issued Guidelines to help advertisers ensure that such advertising is not deceptive, unfair or inappropriate for its intended audience. The Guidelines are available at <https://bbbprograms.org/programs/caru/>.

⁷CFBAI has focused on children under 12, as CARU historically has, because it is this age group that is generally considered the most vulnerable and least sophisticated. Although tweens and teens may not yet have the judgment and skills of adults, and do not have all the privileges of adults, society recognizes that 13-year olds and 7-year olds should not be treated the same. Thus, CFBAI focuses on children under age 12. Although not a CFBAI requirement, many participants also have policies on not directing advertising to children under 6 (i.e., when they are a significant percentage of the audience).

⁸Media covered by CFBAI includes TV, digital (including company-owned and third-party websites), mobile, print, radio, G-rated DVDs, and word-of-mouth. Product placement and marketing in elementary schools are prohibited.

⁹CFBAI’s website provides these reports, as well as the 2011 Criteria and White Paper, participants’ pledges, the program’s Product List, and other program-related information, at <https://bbbprograms.org/programs/cfbai/>.

¹⁰Common Sense Media has reported that TV is still the media children spend the most time with, and that the amount of time children up to age eight spend watching TV is the same as it was in 2011, although less time is spent watching “live” TV. Commonsense Media, *The Common Sense Census: Media Use by Kids Zero to Eight 2017* (“Zero to Eight 2017”) (Oct. 2017) at 13, available at <https://www.common sense media.org/research/the-commonsense-census-media-use-by-kids-age-zero-to-eight-2017>.

¹¹CFBAI Annual Compliance and Progress During 2016 at 6 (Dec. 2017). In an analysis of a sample of food ads from May-June 2015 on Nickelodeon programming, the Center for Science in the Public Interest (CSPI), a national consumer advocacy organization, found that 77% of the food ads were from CFBAI participants. *What Nickelodeon is Peddling to Kids*. (Sept. 2016) at 2.

¹²“A Review of Food Marketing to Children and Adolescents Follow Up Report,” Federal Trade Commission at 56 (Dec. 2012). The Report was based on 2009 data, and its definition of advertising to children included items not covered by CFBAI, such as shelf placement allowances, in-store ad displays and promotions, and packaging and labeling. The Report is available at <https://www.ftc.gov/reports/review-food-marketing-children-adolescents-follow-report>.

¹³In 2011, the FTC described the new criteria as “substantial progress” and as being “considerably stronger than the status quo.” Prepared Statement of the Federal Trade Commission on the Interagency Working Group on Food Marketed to Children Before the Energy and Commerce Committee, Subcommittee on Commerce, Manufacturing, and Trade and the Subcommittee on Health, U.S. House of Representatives (Oct. 12, 2011), at 9. Available at <https://www.ftc.gov/public-statements/2011/10/prepared-statement-federal-trade-commission-interagency-working-group-food>.

¹⁴Remarks during White House Convening on Food Marketing to Children (Sept. 18, 2013). Available at <https://obamawhitehouse.archives.gov/the-press-office/2013/09/18/remarks-first-lady-during-white-house-convening-food-marketing-children>.

¹⁵In 2011, Dr. Robert Post, then Deputy Director, Center for Nutrition Policy and Promotion, USDA stated, “The new uniform CFBAI nutrition criteria appear to be a step forward in changing the food advertising landscape, while also taking into consideration the feasibility of manufacturers making meaningful changes to the nutrient content of foods.” Dr. Robert Post, Statement Before the Energy and Commerce Committee, Subcommittee on Commerce, Manufacturing, and Trade and the Subcommittee on Health, U.S. House of Representatives (Oct. 12, 2011), <https://www.govinfo.gov/content/pkg/CHRG-112hrg77930/pdf/CHRG-112hrg77930.pdf>.

¹⁶For example, Cartoon Network has used CFBAI’s nutrition criteria as its standard for licensing its popular characters.

III. CFBAI's Nutrition Criteria Review

A. The Review Process

When CFBAI published its 2011 Criteria, the program committed to reviewing them after the publication of the 2015 Dietary Guidelines for Americans. CFBAI formed a working group comprised of food and nutrition experts from the participant companies, along with an expert Registered Dietitian consultant. The working group reviewed relevant dietary recommendations, including:

- The U.S. Department of Agriculture (USDA) regulations that govern the sale of foods sold in competition with school meals (“Smart Snacks”);
- the National School Lunch and School Breakfast Programs;
- FDA’s revised food labeling rules (published in May 2016) that included changes to some RACCs and serving sizes, updated Daily Values (DVs) for some nutrients and, for the first time, an added sugars DV and disclosure of the quantitative amount of added sugars; and
- other third-party nutrition standards for foods intended for children’s consumption.

Appendix Table A1 lists the sources that informed the development of CFBAI’s Revised Criteria.¹⁷

To increase transparency and encourage external stakeholder engagement, CFBAI and PHA co-hosted a Nutrition Criteria Roundtable in May 2016. More than 30 organizations and individuals attended, including representatives of the Canadian Children’s Food and Beverage Advertising Initiative and the EU Pledge program, and food-related trade associations. Prior to the Roundtable, other organizations provided CFBAI feedback in one-on-one meetings. CFBAI asked stakeholders what aspects of the 2011 Criteria they thought were and were not working well, and what should be changed. Appendix Table A2 lists the individuals and organizations that contributed feedback to CFBAI. The Revised Criteria review differed in one

important respect from the previous process: the foundation was the 2011 Criteria rather than company-specific criteria that were the starting point in 2011. Thus, for the most part, the criteria and the basis for their inclusion had been identified.

B. Revised Criteria Goals and Highlights

Nutrition experts link the need for dietary pattern and nutrient consumption improvements to multiple public health goals. The Dietary Guidelines for Americans, the policy document guiding federal food, health, and nutrition policies and programs, have consistently recommended managing calorie intake through reduced consumption of saturated fat, *trans* fat, and sodium to address concerns with overweight/obesity and cardiovascular health. The Guidelines also advocate reducing the consumption of added sugars given concerns about overall dietary quality (i.e., because excess added sugars consumption makes it difficult to meet nutrient needs within the calorie limits generally needed to maintain a healthy weight). The DGA 2015 maintain the DGA 2010 guidance regarding limits on saturated fat, *trans* fat, and sodium intake, and for the first time recommend that added sugars be limited to less than 10% of total calories per day. In its revised labeling regulations, FDA reduced the sodium DV by 5% to 2300 mg and, for the first time, included added sugars on the NFP and set an added sugars DV of 50 grams.

CFBAI’s nutrition standards have been revised to align with and reflect this dietary and nutrition guidance and FDA’s revised nutrition label. CFBAI has adopted challenging criteria to incentivize food reformulation and development of nutrient-dense foods with improved nutrient profiles. The Revised Criteria also reflect other objectives that are critical to achieving and maintaining successful self-regulation, including having a significant and broad impact, and transparency in the application of the criteria and the rationale behind the criteria. In considering these

goals and how to achieve them, the working group also was mindful of the current marketplace, including competitive issues, companies' experiences with reformulation efforts, consumers' taste preferences, and the state of technology and food science.

CFBAI largely has maintained the structure of the 2011 Criteria and its product categories. Changes include replacing the Dairy Category with three dairy-based product categories (milks, yogurts and cheeses) and replacing Category 3, which covered a broad variety of foods, with more specific individual product categories. Both sets of category changes better reflect the inherent differences in the varied foods and provide more stringent and transparent requirements for the relevant food types.

The Revised Criteria include the same Nutrients to Limit ("NTLs") as the 2011 Criteria (calories, saturated fat, *trans* fat, and sodium), except that added sugars replace total sugars. Most categories have adopted more rigorous sodium limits. While direct comparisons of total sugars and added sugars criteria are not straightforward in all categories, where such comparisons are possible there have been added sugars reductions. The criteria also reflect updated RACCs and serving sizes where

appropriate. There are NCTE requirements for all categories, and these standards have been strengthened in several ways, including revising the criteria for whole grain foods; requiring more food groups in categories that typically contribute significantly to children's daily diets (Main Dishes and Meals); allowing some categories to qualify if the first ingredient is a food group; and, with one exception, restricting nutrient-based qualifiers to those nutrients identified as under-consumed nutrient in the DGA 2015, rather than "essential" nutrients as in the 2011 Criteria.

As with the 2011 Criteria, the Revised Criteria primarily are intended to operate in the background to determine whether a food may qualify for advertising to children. As a self-regulation program, CFBAI's criteria also should be transparent, and for this reason it is important that qualification can be assessed based on the NFP to the greatest extent possible. This encourages other food (or media) companies in the U.S. to use the criteria to guide their child-directed advertising practices and makes it easier for consumers and interested third-party organizations to evaluate foods that are advertised to children.

NOTES

¹⁷ CFBAI's review focused on U.S. sources. Because nutritional needs, taste preferences, and food availability vary in different countries, CFBAI's nutrition criteria are designed solely to improve further child-directed advertising by CFBAI participants in the U.S.

IV. Key Nutrition Criteria Changes

A. Product Categories and Reference Units

1. Key Changes in Product Categories

A key change in the Revised Criteria is the re-positioning of foods that were part of a broad category to individual categories. This modification allows for greater specificity and refinement in setting meaningful and appropriately rigorous nutrient criteria. This approach also makes it easier to see how the criteria apply to specific foods. In the future, the categories could be further changed to reflect marketplace developments and innovation or regulatory developments.¹⁸

The Revised Criteria are organized around 17 product categories, which include the 2011 Criteria categories or sub-categories plus five additional categories for foods that fell under Category 3. Also, "Fruits and Vegetables" has been shifted from an exemption to a category.¹⁹ Unlike the other 2011 Criteria categories which addressed recognizable food types (e.g., yogurts or soups), Category 3 by definition included foods that vary considerably in their inherent nutritional nature, functional characteristics and/or LSS or RACC.²⁰

Table 1 summarizes the changes to the Product Categories, which are 1) the new Dairy categories that were sub-categories in the 2011 Criteria; 2) the categories for foods that were covered in Category 3; and 3) the new Fruit and Vegetable category, which was exempted in the 2011 Criteria. An explanation of the categories based on Category 3 foods follows Table 1. Table 2 lists all of the Revised Criteria categories, as well as reference units.

Cereals, Waffles and Pancakes, Breads and Pastas.

Although the categories typically share grains as the primary ingredient, the foods have other distinctive ingredients, variable serving sizes, and usually have

different nutrition profiles. Establishing individual categories helped ensure NTL levels were specific and relevant to each category and allowed reductions and product improvements to be more robust and meaningful. For example, the Revised Criteria set the added sugars limit in the new Breads category at a significantly lower amount than what previously applied to breads as part of Category 3, which included a wide array of foods with varying levels of sweet, savory and other flavors.

Savory Snacks and Sweet Snacks. Most foods that would be considered "snacks" fell under Category 3. Snacks that have been on CFBAI's Product List, including grain-based snacks and frozen treats, were part of the Tier 1 sub-category because they were less dense and less caloric, with 150 calories or less per LSS. As discussed further in Section IV.B, separating Savory and Sweet Snacks into two categories allowed the reduction of the relevant key NTLs for each category (i.e., sodium for "Savory Snacks" and added sugars for "Sweet Snacks") and at the same time set limits for the added sugars for "Savory Snacks" and sodium for Sweet Snacks that are stricter than would be possible if there was only one Snacks category.

Exempt products. As in the 2011 Criteria, the Revised Criteria exempt certain types of foods from the nutrition criteria:

- Beverages, including bottled waters, that meet FDA regulations for "low calorie" (≤ 40 calories) and "very low sodium" (≤ 35 mg), are exempt, as in the 2011 Criteria. The Revised Criteria have added a 5 g added sugars limit for exempt beverages, discussed further in Section IV.B.
- Sugar-free mints and gums, as in the 2011 Criteria, remain exempt because they are calorie-free and thus not associated with obesity.

Table 1. Product Category Changes

2011 Product Category	Revised Criteria Product Category
1. Juices	1. Juices
2. Dairy Products	
• Milk and milk substitutes	2. Milks
• Yogurts and yogurt-type products	3. Yogurt and Yogurt-Type Products
• Dairy-based desserts	6a. Now part of Sweet Snacks
• Cheese and cheese products	4. Cheese and Cheese Products
3. Grain, fruit and vegetable products, and items not in other categories	
• Tier 1: Cereals with lower density (≤ 150 calories per LSS, and items with a small RACC, such as crackers)	6a. Savory Snacks 6b. Sweet Snacks 8. Breads
• Tier 2: Grain, fruit, and/or vegetable products with a larger RACC or higher density (≥ 150 calories per LSS)	5. Cereals (most cereals met Tier 1 calorie limits under the 2011 Criteria) 7. Waffles and Pancakes 9. Pastas (plain)
Exemption: Fruits and vegetables	10. Fruits and Vegetables

- Sugar-free gelatin has been added as an exemption in the Revised Criteria because it contains no sugar and has minimal calories.

2. Key Changes in Reference Units

The Revised Criteria specify a reference unit for each product category, i.e., the unit on which the nutrition criteria and the assessment of a product’s nutrient content are based. As in the 2011 Criteria, in most cases the Revised Criteria use the LSS as the basis for nutrition criteria qualification. FDA regulations determine the LSS based on the RACC and in many but not all cases the LSS is the same as or close to the RACC. CFBAI bases its criteria on the LSS because that is the amount declared on the NFP and the amount upon which nutrients are disclosed on the NFP.²¹ This provides transparency and consistency for consumers or third parties that are interested in understanding how the criteria work. Table 2 lists the

Product Categories and applicable Reference Units. In most cases the reference units have not changed from the 2011 Criteria.

Applying the same framework as in the 2011 Criteria, the categories “Milks,” “Yogurts and Yogurt-Type Products,” and “Seeds, Nuts, and Nut Butters and Spreads” each have a specified unit of measure. (The specified unit in these categories is the RACC.) For foods in these categories, the NTL and NCTE must be scaled appropriately if the LSS is smaller than the reference unit. For example, although the RACC for yogurts is 6 oz, yogurt products intended for children often have an LSS of 2 oz or 4 oz. The rationale for scaling is that dietary recommendations encourage consumption of dairy products and seeds/nuts while recognizing concerns about the fat or added sugar content of some foods in these categories.

Table 2. CFBAI Revised Product Categories and Reference Units

Product Category	Unit	Description/Examples
1. Juices	LSS (8 oz max)	<ul style="list-style-type: none"> • 100% fruit or vegetable juices (F/V) and or F/V juice blends or 100% F/V juice diluted with water; no added sugars
2. Milks	8 fl oz	<ul style="list-style-type: none"> • Unflavored and flavored milks
3. Yogurts and Yogurt-Type Products	6 oz	<ul style="list-style-type: none"> • Plain and fruited yogurts, drinkable yogurt-type products
4. Cheese and Cheese Products	LSS	<ul style="list-style-type: none"> • String cheeses, processed cheese slices
5. Cereals*	LSS	<ul style="list-style-type: none"> • Typically ready-to-eat (RTE) cereals. This category includes all three FDA categories of RTE cereals: light-weight (15 g RACC), medium-weight (40 g RACC) and heavy-weight (60 g RACC). The majority of cereals fall into the medium-weight category
6a. Savory Snacks*	LSS	<ul style="list-style-type: none"> • Savory crackers, snack mixes, pretzels, popcorn
6b. Sweet Snacks*	LSS	<ul style="list-style-type: none"> • Sweet crackers, snack bars and bites, frozen treats, fruit-based snacks
7. Waffles and Pancakes*	LSS	
8. Breads*	LSS	
9. Pastas* (plain)	LSS	
10. Fruits and Vegetables*	LSS	<ul style="list-style-type: none"> • Exempt in 2011 Criteria • No added sugars, very low sodium canned or frozen
11. Seeds, Nuts, and Nut Butters and Spreads	1 oz or 2 Tbsp	<ul style="list-style-type: none"> • Pumpkin seeds, almonds, peanuts, and nut butters and spreads
12. Meat, Fish, and Poultry Products	LSS	<ul style="list-style-type: none"> • Lunch meat, fish sticks, chicken
13. Soups and Meal Sauces	LSS	<ul style="list-style-type: none"> • Soups, pasta sauces
14. Mixed Dishes	LSS	<ul style="list-style-type: none"> • Single items such as casseroles, burritos, pizza, and sandwiches that do not meet FDA or USDA definition of main dish products
15. Main Dishes and Entrées	LSS	<ul style="list-style-type: none"> • Single items that meet FDA or USDA definition of a main dish product
16. Small Meals ²²	LSS	<ul style="list-style-type: none"> • Combination of items (e.g., sandwich + fruit + beverage) that does not meet the FDA or USDA definition of meal-type products
17. Meals (entrée and other items including beverage)	Meal	<ul style="list-style-type: none"> • Combination of items that meets FDA or USDA definition of a meal-type product

*New category

B. Nutrition Components

The DGA 2015 recommend that Americans limit their saturated fat, *trans* fat, and sodium intake, and for the first time advise that added sugars be limited to less than 10% of total calories per day. To assist consumers in identifying foods that support the DGA 2015 recommendations, FDA reduced the sodium DV by 5% to 2300 mg, included added sugars on the NFP, and set an added sugars DV of 50 grams.

To better support balanced eating patterns, the DGA 2015 also recommend that adults and children increase consumption of nutrient-dense foods, including fruits, a wide variety of vegetables, and dairy in fat-free and low-fat forms, particularly fat-free and low-fat milk and yogurt; consume at least half of all grains as whole grains by replacing refined grains with whole grains; and choose a variety of protein foods, including seafood, lean meat and poultry, eggs, beans and peas, soy products, and unsalted nuts and seeds.²³ Consuming nutrient-dense foods helps ensure that nutrient needs are met.

Accordingly, CFBAI's Revised Criteria include limits on calories, saturated fat, *trans* fat, sodium and, to align with the revised NFP, added sugars, which have replaced total sugars. As was the case with the 2011 Criteria, the Revised Criteria do not include a criteria for total fat because expert groups, including the DGA 2015 and the DGA 2010, have concluded that limiting saturated fat and *trans* fat intake is more important in impacting health. The Revised Criteria also do not establish criteria for cholesterol because limits on saturated fat effectively limit cholesterol from many food sources. The new sodium and added sugars levels will encourage continued product reformulation and innovation. For example, most cereals on the current Product List would need to undergo reformulation to meet the new added sugars limit, one-third of the foods in the Savory Snacks category would require sodium reductions, and all exempt beverages on the current Product List would require added sugars reductions to meet the new 5 g limit, which in effect is a 50% reduction from the amount permitted at the calorie maximum set in the 2011 Criteria.

As in the 2011 Criteria, the Revised Criteria include NCTE requirements, using the same overall framework: qualifying foods must provide at least a half-serving of one or more food groups that the DGA 2015 recommends for increased consumption, or provide at least a good source (10%) of a qualifying nutrient, or a combination of both.²⁴ Although the framework remains the same, the revised NCTE requirements have been strengthened in several important ways: 1) Meat and meat alternates have been added as a food group, a change that brings CFBAI's food group definition in line with USDA standards; 2) the criteria for whole grain foods has been revised to ensure that qualifying foods contribute a meaningful amount of whole grains; 3) the food group requirement has been increased in Main Dishes and Meals, categories that make a significant contribution to children's diet; 4) increased food group contribution has been incentivized in Savory Snacks, Sweet Snacks and Mixed Dishes by allowing foods to qualify if the first ingredient is a food group; and 5) nutrient-based qualifiers have been limited to nutrients identified as "under-consumed" in the DGA 2015, with an exception for one category, Savory Snacks. In general, the NTL (and NCTE) criteria requirements are appropriately adjusted to reflect a product category's relative contribution to the overall diet.

1. Nutrition Components to Limit

a. Calories

In CFBAI's experience and based on the feedback from external stakeholders, the calorie maximums set in 2011 generally are working well to limit the calorie levels of the foods on CFBAI's Product List appropriately. For these reasons, the Revised Criteria largely have retained the 2011 Criteria calorie limits²⁵ and calorie limits in new categories derive from the limits used in Category 3 of the 2011 Criteria. For example, the Cereals, Waffles and Pancakes, and Pastas calorie limits align with the Category 3, Tier 2 calorie limits for heavier foods (150-200 calories). The calorie criteria for all product categories are found in Table 3, which also addresses the saturated fat criteria and provides explanatory information

regarding the few categories that have had calorie or saturated fat-related changes.²⁶

The only notable revision related to calories is in the Juices category. The 160 calorie limit in the 2011 Criteria has been replaced with an NCTE limit of 6 oz of 100% juice which serves to control for calories. The DGA 2015 and the American Academy of Pediatrics (AAP) recognize 100% juices as an appropriate beverage for children. The DGA 2015 note that 100% juice can be a source of up to a one-half serving of fruit daily. AAP's policy statement provides that up to half the recommended fruit servings for children ages 7-18 can be in the form of 100% juice.²⁷ The DGA 2015 and AAP also note that 100% juice can be a source of excess calories. 100% juice diluted with water contributes fewer calories than 100% juice alone and thus also aligns with expert recommendations regarding juice consumption. For this reason, the Revised Criteria also allow for beverages comprised of 100% juice diluted with water, and the minimum half-cup 100% NCTE requirement has been removed. Because diluted 100% juice children's beverages were already in the marketplace, CFBAI updated its Juices criteria prior to the announcement of the full Revised Criteria.²⁸

b. Saturated fat

CFBAI has not changed the 2011 Criteria saturated fat limits²⁹ as they have worked well to limit the saturated fat content of foods participants advertise to children, and external feedback has indicated that criteria set reasonable limits. Further, the DGA 2015 did not change its recommendation that saturated fat consumption be limited to less than 10% of daily calories. Table 3 lists the saturated fat criteria for each of the Revised Criteria categories. Several categories now allow slightly higher levels of saturated fat for foods with nuts or dairy as the first ingredient, to encourage consumption of and incentivize development of more nutrient-dense products.

c. *Trans* fat

The Revised Criteria retain the 2011 Criteria *trans* fat limit of 0 g labeled. (This requirement appears in "Definitions and Notes" following the categories in the Revised Criteria chart.) It is important to note

that in 2015, FDA issued a determination regarding the Generally Recognized as Safe (GRAS) status of partially hydrogenated oils, the main source of industrially produced *trans* fat, and requires discontinued use of all industrial sources by June 2018 or June 2019 (depending on the source).³⁰ For foods in the meat and dairy categories served as individual foods or as part of composite dishes or meals (e.g., soups, mixed dishes, entrées, meal-type products), naturally occurring *trans* fats are excluded from the Revised Criteria.³¹

The DGA 2015 recommend that *trans* fatty acid consumption be kept as low as possible and many third parties recommend that products contain no *trans* fat. However, the DGA 2015 note that elimination of naturally occurring *trans* fat is not needed because natural *trans* fatty acids are present in dairy products and meat, which can be important sources of nutrients, especially for children.³² Rather, consuming fat-free or low-fat milk and milk products and lean meats and poultry will reduce the intake of natural *trans* fat.³³

d. Sodium

Over the years many foods on CFBAI's Product List have undergone incremental sodium reductions several times. The sodium criteria CFBAI developed in 2011 set reasonable limits that required significant but gradual reductions.³⁵ CFBAI reviewed its sodium criteria in light of the DGA 2015, as well as data related to and the results of efforts to implement the recommendations related to the then-proposed rules for the school meals programs (the National School Lunch and School Breakfast Programs)³⁶ and the expected rules regarding the sale of competitive foods in schools ("Smart Snacks").

The DGA 2015 recommended that children and adults limit sodium consumption to address the significant difference between the average consumption level (3400 mg) and the IOM's recommended upper limit (2300 mg). FDA's May 2016 NFP revisions included a five percent reduction in the sodium DV (to 2300 mg from 2400 mg). In addition, USDA set sodium reduction targets for school meals, intended to be implemented over 10

Table 3. CFBAI Revised Criteria for Calories and Saturated Fat

Product Category	Calories	Saturated Fat	Notes
1. Juices	—	0 g	<ul style="list-style-type: none"> NCTE limit of ≤ 6 fl oz 100% juice and no added sugars requirement controls for calories
2. Milks	≤ 150	≤ 2 g	
3. Yogurts and Yogurt-Type Products	≤ 170	≤ 2 g	
4. Cheese and Cheese Products	≤ 80	≤ 3 g	
5. Cereals	≤ 200	≤ 1.5 g	<ul style="list-style-type: none"> Cereal RACC/LSS has increased by 33% compared to 2011 Increase in calorie limit reflects this RACC increase
6a. Savory Snacks 6b. Sweet Snacks	≤ 150	≤ 1.5 g	<ul style="list-style-type: none"> If the first ingredient is a nut or a dairy ingredient the calorie limit is 200 Sat fat limit for snacks with first ingredient a nut (≤ 2.5 g) or dairy (≤ 2 g) higher to allow for their higher intrinsic sat fat content³⁴
7. Waffles and Pancakes	≤ 200	≤ 2 g	
8. Breads	≤ 150	≤ 1.5 g	
9. Pastas (plain)	≤ 200	0 g	<ul style="list-style-type: none"> Plain pasta does not contain saturated fat
10. Fruits and Vegetables	N/a	No added fats	<ul style="list-style-type: none"> Exempted in 2011 Criteria No added fats and no added sugars requirements control for calories
11. Seeds, Nuts, and Nut Butters and Spreads	≤ 220	≤ 3.5 g	
12. Meat, Fish, and Poultry Products	≤ 120	≤ 2 g	
13. Soups and Meal Sauces	≤ 200	≤ 2 g	
14. Mixed Dishes	≤ 280	≤ 2.5 g	
15. Main Dishes and Entrées	≤ 350	≤ 10% kcal	<ul style="list-style-type: none"> Sat fat limit higher (≤ 15% calories) for foods in which the first ingredient is nut or dairy product to allow for their higher intrinsic sat fat content
16. Small Meals	≤ 450	≤ 10% kcal	<ul style="list-style-type: none"> Sat fat limit higher (≤ 15% calories) for foods in which the first ingredient is nut or dairy product to allow for their higher intrinsic sat fat content
17. Meals (entrée and other items including beverage)	≤ 600	≤ 10% kcal	
18. Exempt Beverages	≤ 40	0 g	

years with two intermediate sodium targets, which at this time have been delayed or eliminated to allow schools, students, and food producers additional time and assistance to meet the regulatory goals.³⁷ USDA's Smart Snacks standards for foods sold in competition with school meals set a 200 mg sodium limit for snack items and a 480 mg limit for entrées.

In setting sodium standards for the Revised Criteria, CFBAI sought to achieve modest but meaningful and demonstrable reductions in most categories to broadly impact the foods advertised to children. In some categories (e.g., Juices, Milks, and Yogurts), the Revised Criteria retain the 2011 Criteria limits because those levels reflect the intrinsic sodium present in the foods and a reasonable additional amount that reflects food science (e.g., functionality, shelf-stability, or preservation) and/or consumer acceptability concerns. In other categories, the 2011 sodium limits have been reduced to better reflect the typical nutritional sodium profile of the category, (e.g., Cheeses and Meats). Sodium limits in individual categories previously covered by Category 3 now generally have lower sodium limits than in the 2011 Criteria (e.g., Breads, Pastas, Savory Snacks and Sweet Snacks). Several reductions are in categories that the Center for Disease Control (CDC) identifies as among the top sources of sodium in Americans' diets: Breads (14% reduction), Cheeses (17%); Savory Snacks (10%); and Mixed Dishes (5%).³⁸

Reducing sodium is one of the most challenging reformulations for food companies. The need for step-wise reductions and transition periods is well-recognized, as reflected in the multi-stage approach taken in FDA's Draft Voluntary Sodium Reduction Initiative³⁹ and USDA's school meal sodium reduction efforts. Although not always touted publicly, these gradual, steady changes contribute to the goal of providing children and consumers generally with healthier choices and improved eating habits.

Table 4 identifies sodium limits in the Revised Criteria and the 2011 Criteria.

e. Added sugars

The DGA 2015 recommended that consumers limit their consumption of added sugars to less than 10 percent of calories to ensure that individuals meet food group and nutrient needs while staying within daily calorie limits.⁴⁰ At the same time, the DGA 2015 recognized the positive role of sugar in improving product palatability, helping with preservation, and contributing to functional attributes, and made allowances for consumption of nutrient-dense foods with small amounts of added sugars, such as fruits and vegetables that are naturally tart, whole grain cereals or fat-free yogurt.⁴¹ Following the publication of the DGA 2015, FDA for the first time set a DV for added sugars and required that the NFP include the amount of added sugars in grams and as a percentage of the DV.⁴² In recognition of these food label changes, the Revised Criteria reflect two important changes from the 2011 Criteria.

First, the Revised Criteria have replaced total sugars with added sugars. CFBAI's 2011 Criteria used total sugars as the NTL rather than added sugars because the NFP at that time required disclosure of only total sugars. Without added sugars information on the NFP, and because added sugars content could not be determined by analytical means, evaluation, reporting and monitoring for compliance with an added sugars criteria would have been difficult. Added sugars content now will be readily available on product NFPs, making evaluation and reporting on compliance with an added sugars criteria possible.

Second, the Revised Criteria reflect modest but significant reductions in added sugars in many categories. The general starting point for setting an added sugars limit for each category was the 2011 Criteria total sugars limit.⁴³ For products in Category 3 such as cereals, waffles, and snacks, most of the sugars in the foods were added sugars and thus the total sugars limit also represented an added sugars limit. For these foods, the total sugars limit in the 2011 Criteria can be directly compared to the added sugars limit in the Revised Criteria to assess whether there is an added sugars reduction. For other categories, total sugar amounts in the foods may reflect intrinsic sugars and added

sugars.⁴⁴ For those foods, making a comparison of the sugars limits in the 2011 Criteria and the Revised Criteria is not as straightforward. CFBAI's analysis of foods on the current Product List indicate that the added sugars limit in the Revised Criteria will require product reformulations in many foods and beverages, even if the need for such changes is not apparent in a comparison of the 2011 Criteria and the Revised Criteria.

Table 5 identifies the added sugars limits for the Revised Criteria and the 2011 Criteria total sugars limits, and provides explanatory details for some categories. Additional information regarding several key categories follows the Table.

Category 2: Milks. For milks with an 8 fl oz serving size (the RACC), CFBAI's Revised Criteria allow no more than 10 g added sugars. (For smaller serving sizes, the added sugars would be proportionately lower.) Using CFBAI's added sugars estimate from the 2011 Criteria (13 g), the Revised Criteria limit (10 g) is 3 g lower (23%).⁴⁵ This reduction supports the goal of gradually adjusting children's palates to accept less sweet versions of flavored milks without reducing consumption levels of this nutrient-dense beverage.

Category 3: Yogurts and Yogurt-Type Products. Yogurt is a nutrient-dense food that helps children increase their intake of dairy, calcium, and Vitamin D, all under-consumed food groups and/or nutrients. The DGA 2015 recognize how added sugars can increase the palatability and consumption of nutrient-dense foods, including low-fat and fat-free yogurt. CFBAI's 2011 Criteria set a 23 g total sugar limit for the Yogurt category based on a 6 oz serving size, with the limit proportionately lower for smaller serving sizes. The Revised Criteria set an 18 g added sugars limit per 6 oz (the RACC). The typical serving sizes for children's yogurts are generally between 2 and 4 oz. Thus under the Revised Criteria, a 2 oz child-size yogurt would have a 6 g added sugars upper limit and a 4 oz yogurt would have a 12 g added sugar upper limit.

Cereals. The RTE cereal category has been notable because of participants' ongoing efforts to decrease NTLs, namely added sugars and/or sodium, and

increase whole grains. (Because the sugars in cereals generally are added sugars, a reduction in total sugars in effect is a reduction in added sugars.) This incremental approach has driven added sugar levels down significantly since CFBAI's launch.⁴⁶ Under the 2011 Criteria, cereals with a 30 g RACC (which account for most cereals on CFBAI's Product List) had a 10 g total sugars limit. The Revised Criteria review, initiated prior to FDA's nutrition label final rules, targeted a 10% sugar reduction to continue the positive reduction trend. Accordingly, the goal for the category was 9 g total/added sugars per 30 g (the RACC at the time), a 10% decrease on a per ounce basis.

It is important to note that, although the reference unit for the Cereal category has not changed and remains the LSS, the RACC that is the basis for the LSS will significantly increase (by 33%) with implementation of the new NFP. The larger LSS means that there will be a proportionate increase in all labeled nutrients, including added sugars and sodium. The RACC increase thus created a challenge for CFBAI's nutrient criteria revisions, as the new criteria had to be scaled to reflect the new, larger RACC. The revised added sugars limit thus was proportionately increased from the original target of 9 g per 30 g RACC to 12 g per 40 g RACC. On a per ounce basis, the 12 g limit still represents a 10% decrease from the 2011 Criteria (without the 10% reduction, the proportionate added sugars level for a 40 g RACC would be 13 g).

Category 6a and 6b: Savory Snacks and Sweet Snacks. Creating two distinct "Snacks" categories allowed CFBAI to reduce and tailor the added sugar limits accordingly. The added sugars level for Savory Snacks has been reduced from ≤ 10 g to ≤ 4 g. For Sweet Snacks, the added sugars limit has been reduced from ≤ 10 g to ≤ 9 g.

Categories 16 and 17: Small Meals and Meals. Setting the total sugars limits for these categories posed a particular challenge in developing the 2011 Criteria. Their multi-component nature meant that the foods in these categories would have inherent and added sugars (e.g., a meal could have unsweetened fruit

Table 4. CFBAI Revised Criteria for Sodium

Product Category	2011 Sodium Limit	Revised Sodium Limit	Notes
1. Juices	≤ 140 mg	≤ 105 mg	<ul style="list-style-type: none"> Aligns with FDA’s “low sodium” definition, adjusted to reflect 6 oz 100% juice maximum Allows for modest sodium content for palatability of vegetable-based juices
2. Milks	≤ 200 mg	≤ 200 mg	<ul style="list-style-type: none"> Reflects sodium intrinsic to milk and sodium included in flavoring
3. Yogurts and Yogurt-Type Products	≤ 140 mg	≤ 140 mg	<ul style="list-style-type: none"> Reflects sodium intrinsic to dairy ingredients in yogurts
4. Cheese and Cheese Products	≤ 290 mg	≤ 240 mg	<ul style="list-style-type: none"> Reduced limit better reflects sodium levels typical of foods in this category
5. Cereals	≤ 290 mg	≤ 290 mg	<ul style="list-style-type: none"> At the new, larger RACC, the limit reflects a reduction per ounce⁴⁷
6a. Savory Snacks	≤ 290 mg	≤ 260 mg	
6b. Sweet Snacks	≤ 290 mg	≤ 200 mg	<ul style="list-style-type: none"> Soups, pasta sauces
7. Waffles and Pancakes	≤ 360 mg	≤ 360 mg	<ul style="list-style-type: none"> Allows for consumer acceptability and functional role of sodium as leavening agent in this category
8. Breads	≤ 290 mg	≤ 250 mg	<ul style="list-style-type: none"> Single items that meet FDA or USDA definition of a main dish product
9. Pastas (plain)	≤ 290 mg	0 mg	<ul style="list-style-type: none"> Sodium reduced because it is not used in the development of plain pastas
10. Fruits and Vegetables	≤ 35 mg	≤ 35 mg	<ul style="list-style-type: none"> Aligns with FDA’s “very low sodium” definition F&V were exempt under 2011 Criteria and required to meet “very low sodium” definition
11. Seeds, Nuts, and Nut Butters and Spreads	≤ 240 mg	≤ 230 mg	
12. Meat, Fish, and Poultry Products	≤ 480 mg	≤ 280 mg	<ul style="list-style-type: none"> New level better reflects sodium levels typical of category
13. Soups and Meal Sauces	≤ 480 mg	≤ 470 mg	<ul style="list-style-type: none"> Reflects balance between reduction goals and consumer acceptability, functionality, and microbial safety
14. Mixed Dishes	≤ 540 mg	≤ 515 mg	
15. Main Dishes and Entrées	≤ 600 mg	≤ 570 mg	

Product Category	2011 Sodium Limit	Revised Sodium Limit	Notes
16. Small Meals	≤ 600 mg	≤ 570 mg	
17. Meals (entrée and other items including beverage)	≤ 740 mg	≤ 700 mg	
18. Exempt Beverages	≤ 35 mg	≤ 35 mg	• Aligns with FDA’s “very low sodium” definition

and flavored milk), and thus a Small Meal or Meal could contribute a significant amount of total sugars. Although this amount of sugars could be reasonable for these components, it also could potentially allow excessive added sugars. For this reason and to incent the inclusion of nutrient-dense components, the 2011 Criteria did not count sugars from components comprised of food groups to encourage (i.e., a qualifying milk, yogurt or yogurt-type product, fruit/vegetable juice, or fruit) towards the total sugars criteria for these categories.

The Small Meals and Meals categories in the Revised Criteria reflect two significant changes. First, as with all categories, these categories have adopted added sugars limits. Second, CFBAI has simplified the overall framework for these categories by setting an added sugars limit for each category that covers the entire Small Meal or Meal, rather than not counting sugars from certain qualifying meal components. This approach updates the categories to support the DGA 2015 recommendations to limit added sugar consumption and is more transparent in application.

Exempt Beverages. Under the 2011 Criteria, a beverage that met the “low calorie” definition (40 calories) was exempt from meeting the nutrition criteria. At the 40 calorie maximum, a beverage thus could have up to 10 g added sugars. In response to the new DGA 2015 recommendation to limit added sugars consumption to no more than 10%

of daily calories and the new added sugars DV, the Revised Criteria have set a 5 g added sugars limit for Exempt Beverages. The new requirement represents a significant reduction in the amount of added sugars allowed for the category (50% at the calorie maximum), while providing some flexibility to incentivize development of low-calorie beverages made with less added sugar.

2. Nutrition Components to Encourage

To meet nutrient needs within calorie limits, the DGA 2015 encourages consumption of nutrient-dense foods, across and within all food groups. The DGA 2015, consistent with the DGA 2010, recommend that Americans, including children, increase their intakes of a wide variety of vegetables; whole fruits; whole grain foods (by shifting from refined to whole grain versions of foods in order to make at least half of grains whole grains⁴⁸); fat-free and low-fat dairy, including milk, yogurt, and cheese; and a variety of protein foods including seafood, lean meats and poultry, eggs, beans and peas, nuts, seeds and soy products. Nutrition criteria for foods intended for children also encourage consumption of nutrient-dense foods. USDA’s Smart Snacks standards incorporate minimum food group or nutrient criteria,⁴⁹ and many third-party organizations also have developed minimum food group requirements or recommendations for foods marketed or intended for children (See Appendix Table A8). External

Table 5. CFBAI Revised Criteria Added Sugars

Product Category	2011 Total Sugars Limit	Revised Added Sugars Limit	Notes
1. Juices	No added sugars	No added sugars	
2. Milks	≤ 24 g (per 8 oz)	≤ 10 g (per 8 oz)	<ul style="list-style-type: none"> A 13 g added sugars/ LSS reduction. Limit proportionately reduced for smaller LSS and low-fat flavored and unflavored milk
3. Yogurts and Yogurt-Type Products	≤ 23 g (per 6 oz)	≤ 18 g (per 6 oz)	<ul style="list-style-type: none"> Limit proportionately reduced for smaller LSS. The typical serving sizes for children's yogurts are generally 2 or 4 oz (which translates to ≤ 6 or 12 g added sugars respectively)
4. Cheese and Cheese Products	≤ 2 g	≤ 2 g	
5. Cereals	≤ 10 g	≤ 12 g	<ul style="list-style-type: none"> At the new, larger RACC, the limit represents a reduction per ounce⁵⁰
6a. Savory Snacks	≤ 10 g	≤ 4 g	<ul style="list-style-type: none"> Reflects sodium intrinsic to milk and sodium included in flavoring
6b. Sweet Snacks	≤ 10 g	≤ 9 g	
7. Waffles and Pancakes	≤ 12 g	≤ 10 g	<ul style="list-style-type: none"> Reflects sodium intrinsic to milk and sodium included in flavoring
8. Breads	≤ 10 g	≤ 4 g	<ul style="list-style-type: none"> Reduced limit better reflects added sugars levels in the category
9. Pastas (plain)	≤ 10 g	No added sugars	<ul style="list-style-type: none"> No added sugars requirement better reflects added sugars levels in the category
10. Fruits and Vegetables	No added sugars	No added sugars	
11. Seeds, Nuts, and Nut Butters and Spreads	≤ 4 g	≤ 4 g	
12. Meat, Fish, and Poultry Products	≤ 2 g	≤ 2 g	
13. Soups and Meal Sauces	≤ 6 g	≤ 4 g	<ul style="list-style-type: none"> Revised Criteria allows additional 1 g added sugars allowed for tomato-based soups and sauces to balance product pH⁵¹
14. Mixed Dishes	≤ 10 g	≤ 7 g	<ul style="list-style-type: none"> Represents 10% kcal at the category calorie max
15. Main Dishes and Entrées	≤ 15 g	≤ 9 g	<ul style="list-style-type: none"> Represents 10% kcal at the category calorie max

Product Category	2011 Total Sugars Limit	Revised Added Sugars Limit	Notes
16. Small Meals	≤ 17/12 g	≤ 14 g	<ul style="list-style-type: none"> Sugars framework simplified from 2011 Criteria Represents 12% kcal at the category calorie max
17. Meals (entrée and other items, including beverage)	≤ 20/15 g	≤ 15 g	<ul style="list-style-type: none"> Sugars framework simplified from 2011 Criteria Represents 10% kcal at the category calorie max
18. Exempt Beverages	No requirement	≤ 5 g	<ul style="list-style-type: none"> In 2011 Criteria, exempt beverages were required to meet FDA's "low calorie" definition (40 calories), which could allow up to 10 g added sugars

stakeholders also recommended that CFBAI include a minimum food group contribution as a requirement for all food categories.

Since 2007, CFBAI and its participants have supported DGA recommendations through the food group contributions and overall nutrient density of foods that they advertise to children. In CFBAI's 2017 snapshot of food advertising on the children's network Nickelodeon, virtually all participants' ads (94%) were for foods that provided at least a half-serving of fruit, vegetables, whole grains or non/low-fat dairy or that were a good source of a nutrient of public health concern (e.g., Vitamin D). Sixty-five percent of the ads featured foods that provided at least a half-serving of one of the four food groups.⁵² The whole grain content of cereals, the category most advertised to children, has increased steadily and significantly since CFBAI's launch.⁵³ Quick serve meals advertised to children by CFBAI participants include more fruit options, as well as several low-fat or fat-free dairy food or beverage options.

To continue to support DGA recommendations, CFBAI's criteria again have incorporated NCTE criteria for all product categories using a framework generally consistent with the approach taken in the 2011 Criteria.⁵⁴ The Revised Criteria require a minimum of at least: a one-half serving of a food

group(s) recommended for increased consumption by the DGA 2015,⁵⁵ or, in some categories, a food group as the first ingredient; at least one nutrient at the 10% DV level (the level recognized by FDA as a "good source"); or, in the categories for foods that play a larger role in the diet (Main Dishes, Small Meals and Meals), a combination of both. The NCTE requirements increase as the calorie caps increase. Within this framework, the Revised Criteria NCTE food group requirements have been strengthened.

- Meat and meat alternate (M) have been added to the food group list, aligning with USDA, Smart Snacks, and other third-party standards.
- The criteria for whole grain foods has been revised to better support the DGA 2015 recommendation to make half of grains whole grains.⁵⁶ Under the 2011 Criteria a food could qualify if it provided a half-serving of whole grains, defined as 8 g per LSS. Under the Revised Criteria, to provide a half-serving a food must provide at least 8 grams of whole grains and meet at least one of three additional requirements: 1) first ingredient a whole grain, or 2) 50% whole grains by weight of product; or 3) 50% whole grains by weight of grains. (Savory Snacks, Sweet Snacks and Mixed Dishes may qualify if the food provides a half-serving or if the first ingredient is a food group, including whole grains.)

- More food groups are now required in the Main Dishes and Meals categories to better reflect their significant contribution to children’s diets.
- Increased food group contribution has been incentivized in Savory Snacks, Sweet Snacks and Mixed Dishes by allowing these foods to qualify if the first ingredient is a food group. This additional option encourages companies to make food groups a primary ingredient, even if the total amount does not reach a one-half serving, thus fostering development and advertising of additional nutrient-dense foods.⁵⁷

As in the 2011 Criteria, the revised NCTE requirements allow for qualification based on nutrient content in some categories. This is because in foods with relatively lower levels of calories or that have smaller serving sizes it can be difficult to provide a meaningful amount of a food group. Yet foods that qualify based on nutrient content (and that are controlled for NTLs) can contribute positively to children’s overall diets. In the Revised Criteria the nutrient-based NCTEs have been made stricter by limiting the qualifying nutrients to “under-consumed nutrients” rather than “essential nutrients,” with

the exception of the Savory Snacks category. Under-consumed nutrients are those identified by the DGA 2015, using IOM standards, as nutrients that many individuals consume at inadequate levels.⁵⁸

Creating revised criteria that would achieve progress in as many product categories and across as many criteria as possible required managing competition issues to avoid decisions that could unfairly favor or burden one participant over another. Setting appropriate NCTE criteria for snacks was a difficult aspect of the revision process, in part because the NTL reduction targets (sodium and added sugars) were significant and particularly affected Savory Snacks, which have sodium limit reductions of 10% and added sugar limit reductions of 60%. In consideration of these reformulation challenges, foods in this category may still qualify if they provide 10% DV of an essential nutrient (or a one-half serving of a food group or if the first ingredient is a food group).⁵⁹

Table 6 lists the NCTE requirements for each category and details regarding certain categories.⁶⁰

Table 6. CFBAI Revised Criteria for Nutrition Components to Encourage

Product Category	NCTE
1. Juices	<ul style="list-style-type: none"> • ≤ 6 oz 100% juice
2. Milks	<ul style="list-style-type: none"> • 1 c dairy and ≥ 10% DV calcium
3. Yogurts and Yogurt-Type Products	<ul style="list-style-type: none"> • ≥ ½ c dairy and ≥ 10% DV calcium
4. Cheese and Cheese Products	<ul style="list-style-type: none"> • ≥ ½ c dairy equivalent <u>and</u> ≥ 10% DV calcium
5. Cereals	<ul style="list-style-type: none"> • ≥ ½ serving of WG, <u>or</u> • ≥ 10% DV of an under-consumed nutrient
6a. Savory Snacks	<ul style="list-style-type: none"> • ≥ ½ serving <u>or</u> first ingredient a F/V/D/M/WG, <u>or</u> • ≥ 10% of an essential nutrient
6b. Sweet Snacks	<ul style="list-style-type: none"> • ≥ ½ serving <u>or</u> first ingredient a F/V/D/M/WG, <u>or</u> • ≥ 10% DV of an under-consumed nutrient
7. Waffles and Pancakes	<ul style="list-style-type: none"> • ≥ ½ serving WG, <u>or</u> • ≥ 10% DV of an under-consumed nutrient
8. Breads	<ul style="list-style-type: none"> • ≥ ½ serving WG, <u>or</u> • ≥ 10% DV of an under-consumed nutrient
9. Pastas (plain)	<ul style="list-style-type: none"> • ≥ ½ serving WG, <u>or</u> • ≥ 10% DV of an under-consumed nutrient
10. Fruits and Vegetables	<ul style="list-style-type: none"> • ≥ ½ serving of F/V
11. Seeds, Nuts, and Nut Butters and Spreads	<ul style="list-style-type: none"> • ≥ 1 oz meat equivalent
12. Meat, Fish, and Poultry Products	<ul style="list-style-type: none"> • ≥ 1 oz meat equivalent
13. Soups and Meal Sauces	<ul style="list-style-type: none"> • ≥ ½ serving a F/V/D/M/WG, <u>or</u> • ≥ 10% DV of an under-consumed nutrient
14. Mixed Dishes	<ul style="list-style-type: none"> • ≥ ½ serving or first ingredient a F/V/D/M/WG <u>and</u> ≥ 10% DV of one under-consumed nutrient <u>or</u> • ≥ 10% DV of two under-consumed nutrients
15. Main Dishes and Entrées	<ul style="list-style-type: none"> • ≥ 1 serving of F/V/D/M/WG <u>and</u> ≥ 10% DV of one under-consumed nutrient
16. Small Meals	<ul style="list-style-type: none"> • ≥ 1½ servings of F/V/D/M/WG <u>and</u> ≥ 10% DV of one under-consumed nutrient, <u>or</u> • ≥ 1 serving of F/V/D/M/WG <u>and</u> ≥ 10% DV of two under-consumed nutrients
17. Meals (entrée and other items including beverage)	<ul style="list-style-type: none"> • ≥ 2 servings of F/V/D/M/WG <u>and</u> ≥ 10% DV of one under-consumed nutrient

NOTES

¹⁸ For example, although sales of plant-based foods and beverages are growing, there has not been milk substitute or plant-based yogurt advertising directed to children. Accordingly, the Revised Criteria do not include criteria for these foods and beverages, and “Milks” and “Yogurts and Yogurt-Type Products” are not intended to encompass plant-based beverages or yogurts at this time. The Revised Criteria have retained “Yogurt-Type Products” as part of the Yogurts category to make it clear that dairy-based yogurt products such as yogurt smoothies are included, not only “yogurts,” which have an official FDA-defined standard of identity. CFBAI will continue to assess the need for plant-based alternative categories and will develop appropriate criteria if needed.

¹⁹ In the 2011 Criteria, fruit products without added sugars were exempt, and vegetable products without added fats and that met FDA regulations for “very low sodium” (≤ 35 mg per RACC) were exempt. Consistent with the 2011 Criteria, the Revised Criteria allow Fruits and Vegetables with no added fats or sugars and ≤ 35 mg sodium.

²⁰ Since implementation of the 2011 Criteria, Category 3 foods have included breads, cereals, cereal bars, frozen dairy-based and water-based treats, fruit snacks, sweet crackers, savory crackers and waffles and pancakes.

²¹ As part of its revisions to the NFP, FDA updated its “dual-column labeling rules,” which set the requirements for displaying Nutrition Facts columns. Based on FDA’s rules, CFBAI’s Revised Criteria allow a food to qualify based on the second amount in two circumstances: 1) For products that are packaged and sold as a single serving, contain more than 150% but less than 200% of the RACC, and provide dual information on the NFP, CFBAI’s NTL and NCTE criteria may be based on the common household measure that most closely approximates the RACC; 2) For products that are packaged as an individual unit in a multi-serve pack, weigh 50% or less of the reference amount, and provide dual nutrition information on the NFP (per serving and per individually wrapped unit), CFBAI’s NTL and NCTE criteria may be based on the nutritional information per individually wrapped unit. See, 21 C.F.R. 101.9 (b)(2)(i)(A) and 21 C.F.R. 101.9 (b)(10)(ii).

²² In 2011, CFBAI started with the FDA (and USDA) categorization of foods as individual foods (including meat, poultry, fish, and game meats), main dishes, and meals and the serving sizes or RACCs associated with such categories. Some products often advertised to children, however, did not fit well into the FDA/USDA definitions of entrée/main dish and meal. For this reason, CFBAI created a Small Meals category for products that contain multiple items and more than one food group and that fall between FDA’s weight and/or food group requirements for nutrition labeling and nutrient content claims for main dishes and meals.

²³ DGA 2015 at pp. xiii and 15.

²⁴ Savory Snacks, Sweet Snacks and Mixed Dishes also may qualify if the first ingredient is a food group.

²⁵ In developing the 2011 Criteria calorie limits, CFBAI relied on the recommendations of several IOM Reports that subsequently formed the basis for USDA’s school meal and competitive foods standards (*Nutrition Standards for Foods in Schools: Leading the Way Toward Healthier Youth* (IOM School Foods report; IOM, 2007); *School Meals: Building Blocks for Healthy Children* (IOM School Meals report; IOM, 2010a). CFBAI compared these reports’ recommendations to the recommendations of other third parties and adjusted up or down to develop calorie criteria specific to each of the CFBAI 2011 Criteria product categories.

²⁶ CFBAI’s calorie limits generally align with USDA’s Smart Snacks standards for competitive foods sold in schools, which set calorie limits of 200 calories for individual items and 380 calories for entrées.

²⁷ American Academy of Pediatrics, Policy Statement: Fruit Juice in Infants, Children, and Adolescents: Current Recommendations (2017) at 3.

²⁸ CFBAI’s statement regarding its revised Juices category (May 8, 2018) is available at <https://bbbprograms.org/programs/cfbai/cfbai-releases--statements/cfbai-juicies-category-statement/>.

²⁹ In developing the 2011 Criteria saturated fat limits, CFBAI reviewed FDA’s saturated fat criteria for “low,” “healthy,” “lean,” and “extra lean” and nutrient content claim disclosure amounts. Appendix Tables A4.

³⁰ See <https://www.fda.gov/food/ingredientpackaginglabeling/foodadditivesingredients/ucm449162.htm>.

³¹ The Revised Criteria, like the 2011 Criteria, do not include a separate column for *trans* fat limits, because the limit, as specified in the Definitions and Notes, is the same, 0 grams, for all categories.

³² DGA 2015 at 32.

³³ Food industry reformulation efforts in response to scientific recommendations and *trans* fat labeling regulations have led to a substantial decrease in *trans* fat intake in the U.S. population (from 4.3g/day in 2003 to 1.3g/day). D. Doell, D. Folmer, H. Lee, M. Honigfort & S. Carberry (2012). Updated estimate of *trans* fat intake by the US population, Food Additives & Contaminants: Part A, 29:6, 861-874, DOI: 10.1080/19440049.2012.664570.

³⁴ The additional sat fat allowed in certain categories aligns with USDA’s Smart Snacks, which exempts reduced fat cheeses and nuts/seeds from its saturated fat requirements.

³⁵ The 2011 Criteria limits generally reflected FDA’s framework for nutrient content claims and the disclosure limits set for these claims. CFBAI also took into account the challenges presented by sodium’s multi-functional roles in food, including its critical role in food safety, mold inhibition, shelf stability, taste, texture, leavening, thickening, fermentation and consumer acceptance, (IOM 2010b).

³⁶ IOM’s *Strategies to Reduce Sodium Intake in the United States* (IOM, 2010b).

³⁷ See 7 C.F.R. 210.10(f)(3) and 220.8(f)(3). Target 1 Sodium Reduction targets have been retained through SY-2023-2024. Target 2 sodium parameters were to be implemented by July 2017 but have been delayed until 2024-2025 and schools may continue to meet Sodium Target 1. The third and final sodium targets have been eliminated. See FR 63775 (Dec. 12, 2018). Appendix Table A6 sets out the K-5 breakfast and lunch targets.

³⁸ Breads, cheeses, snacks, pizza and mixed dishes are among the top sources of sodium in Americans' diets. Centers for Disease Control and Prevention. "Top 10 Sources of Sodium." Available at <http://www.cdc.gov/salt/sources.htm>.

³⁹ FDA released draft guidance detailing 2- and 10-year voluntary sodium reduction goals for makers of commercially processed, packaged, and prepared foods across 155 categories. The stated overall goal was to reduce sodium intake to 2,300 mg/day. Issuance of additional guidance on this draft. Voluntary Initiative is on hold, however, until the National Academies of Sciences, Engineering, Medicine completes their review and update of the dietary reference intakes for sodium and potassium. Available at <https://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/ucm494732.htm>.

⁴⁰ DGA 2015 at 28.

⁴¹ The DGA 2015 also note that such foods should be consumed in the context of the healthy eating pattern and within the daily constraint of less than 10% kcal. DGA 2015 at 19.

⁴² Smart Snacks uses total sugars and sets a limit of $\leq 35\%$ by weight for all foods, a standard that most, if not all, foods on CFBAI's Product List would be likely to meet under the 2011 Criteria and the Revised Criteria.

⁴³ CFBAI's 2011 Criteria used a 10 g total sugar limit as a base criterion for individual foods. This base was adjusted down or up depending on the nature of specific product categories. For example, the 10 g base was adjusted upward for Main Dishes (15 g), Small Meals (17 g), and Meals (20 g).

⁴⁴ Categories comprised of foods with intrinsic sugars and added sugars are Milks, Yogurts, Soups, and the four food categories that are likely to include dairy, fruit or vegetable components (Mixed Dishes, Main Dishes, Small Meals and Meals).

⁴⁵ The 2011 Criteria permitted 24 g total sugars for ready-to-drink milk, estimating the sugars composition at approximately 11 g of naturally occurring lactose from the milk, plus 13 g of added sugar from the flavoring. (IOM's School Foods report target was a maximum of 22 g total sugars per 8 oz of low- or non-fat milk. CFBAI allowed slightly more sugars than the report's recommendation in recognition of the feasibility of further reductions in the commercial marketplace and children's under-consumption of milk.) USDA's school meals and Smart Snacks standards allow the sale of unflavored or flavored low- or fat-free milk in up to 8 oz portions.

⁴⁶ Before CFBAI, cereals may have contained as much as 15 grams per serving. After the 2011 Criteria, cereals with a 30 g RACC could contain no more than 10 grams of sugar.

⁴⁷ The RACCs for most RTE cereals will significantly increase with implementation of FDA's 2016 labeling revisions, thereby increasing all labeled nutrients, including sodium. As a result, CFBAI's Revised Criteria for the category is proportionately scaled to reflect the new, larger RACCs. For sodium, the criteria was increased to 290 mg per 40 g RACC, which represents a 25% reduction (per ounce) from the 2011 Criteria, 290 mg per 30 g RACC.

⁴⁸ DGA 2015 at 15. The DGA recommends that Americans should include grains, "at least half of which are whole grains," as part of a healthy diet, and recommend several strategies to select foods that help accomplish this goal. First, "the whole grain should be the first ingredient— or the second ingredient, after water," or "select foods with at least 50 percent of the total weight as whole-grain ingredients. DGA 2015 at 22.

⁴⁹ Smart Snacks require that foods sold in competition with school meals have a fruit, vegetable, dairy, or meat as the first ingredient, and that grain foods must be 50% whole grain or have whole grain as the first ingredient on the ingredient list. Smart Snacks also allows qualification of "combination foods" that contain at least 1/4 cup of fruit and/or vegetables.

⁵⁰ *Id.* 40. For added sugars, the criteria was increased to 12 g per 40 g RACC, which represents a 10% reduction (per ounce) from the 2011 Criteria (approximately 10 g total/added sugars per 30 g RACC).

⁵¹ The added sugars limit for the revised Soups and Meal Sauces category is approximately the same as in the 2011 Criteria.

⁵² CFBAI 2016 Annual Progress and Compliance Report at 11.

⁵³ According to CFBAI's most recent Cereal Snapshot, which provides an overview of the cereals on CFBAI's July 2017 Product List, whole grains are the first ingredient on the label for about 75% of the cereals, and over 80% contain a half-serving or more, up from 20% in 2009. 2017 Cereal Snapshot, available at CFBAI's website at <https://bbbprograms.org/programs/cfbai/>.

⁵⁴ As in the 2011 Criteria, Category 11 (Seeds, Nuts, and Nut Butters and Spreads) and Category 12 (Meat, Fish, and Poultry Products) do not include NCTE requirements because the categories themselves are food groups.

⁵⁵ CFBAI uses USDA Food Group Serving Equivalents for determining compliance with the NCTE food group requirements. See Bowman et al., USDA Food Group Serving Equivalents (2008) Although USDA replaced MyPyramid with MyPlate in 2011, it did not change the basis or the quantities associated with recommended cups and oz/oz equivalents used in MyPyramid.

⁵⁶ See n. 50.

⁵⁷ Smart Snacks also allow foods to qualify if the first ingredient is a food group.

⁵⁸ Calcium, potassium, iron, magnesium, choline, Vitamins A, C, D, and E are under-consumed nutrients relative to the Estimated Average Requirement (EAR) level. Potassium and fiber are under-consumed relative to the Adequate Intake (AI) level. (DGA 2015 at 60).

⁵⁹ Essential nutrients are vitamins and minerals for which a DV has been established, including those naturally occurring or added to meet standards of identity that have an enrichment requirement or to restore naturally occurring nutrients that are lost in processing.

⁶⁰ Participants will be required to provide the program administrator with any information relevant to a product's qualification under the NCTE that is not transparent from the NFP, the ingredient list or packaging (e.g., the amount of whole grains).

V. Looking Ahead

CFBAI and its participants are pleased to announce the second edition of CFBAI's Category-Specific Uniform Nutrition Criteria. The criteria reflect meaningful, challenging and practical standards that will spur improvements in foods depicted in child-directed advertising. Notably, the Revised Criteria include more transparent and descriptive food categories; a new added sugars criteria to align with the new Nutrition Facts Panel; more stringent NTL and NCTE requirements, including sodium limit reductions in 13 out of 17 categories and reduced added sugars limits in several key categories; stricter criteria for whole grain foods; and more food groups required in the categories that contribute significantly to children's diets. Reformulations of 40% of the products on CFBAI's recent Product List will be necessary if those foods are to continue to qualify for child-directed advertising. CFBAI also anticipates that participants may develop new products that meet the Revised Criteria.

Reformulations and development of new foods will be taking place at the same time as preparation

for implementation of new labeling requirements. Notwithstanding this, the participants have agreed to implement the Revised Criteria no later than January 1, 2020, which aligns with FDA's implementation deadline for the revised NFP. This 18 month timeline is significantly shorter than the one the participants had for meeting the 2011 Criteria.

One of the program's core requirements is that its nutrition standards should be consistent with established scientific and/or government standards, and CFBAI will review the criteria when the 2020-2025 Guidelines are released or there are relevant regulatory developments. CFBAI also must assess whether new or different categories or subcategories are necessary to reflect innovation and new foods in the marketplace. CFBAI will continue to evaluate whether changes to the Revised Criteria are warranted in order to ensure that the program remains dynamic and responsive.

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CFBAI Category-Specific Uniform Nutrition Criteria, 2nd ed.*

Product Category	Unit	Nutrients to Limit			
		Calories	Sat Fat	Sodium	Added Sugars (AS)
1. Juices	LSS (max 8 oz)	—	0 g	≤ 105 mg	No added sugars
2. Milks	8 fl oz	≤ 150	≤ 2 g	≤ 200 mg	≤ 10 g
3. Yogurts and Yogurt-Type Products	6 oz	≤ 170	≤ 2 g	≤ 140 mg	≤ 18 g
4. Cheese and Cheese Products	LSS	≤ 80	≤ 3 g	≤ 240 mg	≤ 2 g
5. Cereals	LSS	≤ 200	≤ 1.5 g	≤ 290 mg	≤ 12 g
6a. Savory Snacks	LSS	≤ 150	≤ 1.5 g	≤ 260 mg	≤ 4 g
6b. Sweet Snacks	LSS	≤ 150	≤ 1.5 g	≤ 200 mg	≤ 9 g
7. Waffles and Pancakes	LSS	≤ 200	≤ 2 g	≤ 360 mg	≤ 10 g
8. Breads	LSS	≤ 150	≤ 1.5 g	≤ 250 mg	≤ 4 g

*Announced: September 20, 2018. Implementation date: January 1, 2020

Nutrition Components to Encourage	Notes
≤ 6 oz maximum 100% F/V juice	<ul style="list-style-type: none"> - A serving must contain 100% F/V juice or F/V juice blends OR 100% F/V juice diluted with water only; with or without carbonation - A serving must contain no more than 6 fl oz 100% juice - Sugars limited to those naturally occurring in F/V
1 c dairy <u>and</u> ≥ 10% DV calcium	- For LSS < 8 fl oz, NTL & NCTE to be proportionately lower
≥ ½ c dairy <u>and</u> ≥ 10% DV calcium	- For LSS < 6 oz, NTL & NCTE to be proportionately lower
≥ ½ c dairy equivalent <u>and</u> ≥ 10% DV calcium	- For LSS < 1 oz, NCTE to be scaled to ≥ ⅓ c dairy equivalent and ≥ 10% DV calcium
≥ ½ serving of WG <u>or</u> ≥ 10% DV of an under-consumed nutrient	<ul style="list-style-type: none"> - LSS based on increased RACC (40 g) - RTE cereals with 60 g RACC may contain ≤ 220 calories and must meet the NTL criteria (≤ 1.5 g sat fat, 0 g labeled <i>trans</i> fat, ≤ 290 mg sodium and ≤ 12 g added sugars) and qualify based on WG content or contain ≥ 10% DV of an under-consumed nutrient
≥ ½ serving or first ingredient a F/V/D/M/WG <u>or</u> ≥ 10% of an essential nutrient	<ul style="list-style-type: none"> - If the first ingredient is a nut, the item may contain ≤ 200 calories and ≤ 2.5 g sat fat - If the first ingredient is dairy (milk, yogurt, cheese), the item may contain ≤ 200 calories and ≤ 2 g sat fat
≥ ½ serving or first ingredient a F/V/D/M/WG <u>or</u> ≥ 10% DV of an under-consumed nutrient	<ul style="list-style-type: none"> - If the first ingredient is a nut, the item may contain ≤ 200 calories and ≤ 2.5 g sat fat - If the first ingredient is dairy (milk, yogurt, cheese), the item may contain ≤ 200 calories and ≤ 2 g sat fat
≥ ½ serving WG <u>or</u> ≥ 10% DV of an under-consumed nutrient	
≥ ½ serving WG <u>or</u> ≥ 10% DV of an under-consumed nutrient	

Product Category	Unit	Nutrients to Limit			
		Calories	Sat Fat	Sodium	Added Sugars (AS)
9. Pastas (plain)	LSS (max 8 oz)	≤ 200	0 g	0 mg	No added sugars
10. Fruits and Vegetables	LSS (max 8 oz)	—	No added fats	Very low sodium	No added sugars
11. Seeds, Nuts, and Nut Butters and Spreads	1 oz or 2 Tbsp	≤ 220	≤ 3.5 g	≤ 230 mg	≤ 4 g
12. Meat, Fish, and Poultry Products	LSS	≤ 120	≤ 2 g	≤ 280 mg	≤ 2 g
13. Soups and Meal Sauces	LSS	≤ 200	≤ 2 g	≤ 470 mg	≤ 4 g
14. Mixed Dishes	LSS	≤ 280	≤ 2.5 g	≤ 515 mg	≤ 7 g
15. Main Dishes and Entrées	LSS	≤ 350	≤ 10% kcal	≤ 570 mg	≤ 9 g
16. Small Meals	LSS	≤ 450	≤ 10% kcal	≤ 570 mg	≤ 14 g
17. Meals (entrée and other items including a beverage)	Meal	≤ 600	≤ 10% kcal	≤ 700 mg	≤ 15 g

Nutrition Components to Encourage	Notes
<p>≥ ½ serving WG <u>or</u> ≥ 10% DV of an under-consumed nutrient</p>	
<p>≥ ½ serving of F/V</p>	
<p>≥ 1 oz meat equivalent</p>	<p>– For LSS < 1 oz or 2 Tbsp, NTL & NCTE to be scaled proportionately</p>
<p>≥ 1 oz meat equivalent</p>	<p>– For LSS ≤ 1 oz, NTL to be proportionately lower</p>
<p>≥ ½ serving a F/V/D/M/WG <u>or</u> ≥ 10% DV of an under-consumed nutrient</p>	<p>– Tomato-based products allowed to have 7 g added sugars to balance pH</p>
<p>≥ ½ serving or first ingredient a F/V/D/M/WG <u>and</u> ≥ 10% DV of one under-consumed nutrient <u>or</u> ≥ 10% DV of two under-consumed nutrients</p>	<p>– Products include pasta mixes, casseroles, burritos, pizzas, & sandwiches that do not meet FDA/USDA definition for main dishes</p>
<p>≥ 1 serving of F/V/D/M/WG <u>and</u> ≥ 10% DV of one under-consumed nutrient</p>	<p>– Items must meet FDA/USDA definition for main dishes – If the first ingredient is a nut, nut butter, or dairy (milk, yogurt, cheese) product, the item may contain up to 15% kcal sat fat of these ingredients reflecting their higher intrinsic sat fat levels</p>
<p>≥ 1½ servings of F/V/D/M/WG <u>and</u> ≥ 10% DV of one under-consumed nutrient <u>or</u> ≥ 1 serving of F/V/D/M/WG <u>and</u> ≥ 10% DV of two under-consumed nutrients</p>	<p>– Small meals contain multiple items but do not meet FDA/USDA definition for meals – If the first ingredient is a nut, nut butter, or dairy (milk, yogurt, cheese) product, the item may contain up to 15% kcal sat fat of these ingredients reflecting their higher intrinsic sat fat levels</p>
<p>≥ 2 servings of F/V/D/M/WG <u>and</u> ≥ 10% DV of one under-consumed nutrient</p>	<p>– Meals must meet FDA/USDA definition for meals</p>

Definitions and Notes

DV: Daily Value.

Essential Nutrients: Those occurring naturally in foods (or that are added to foods to meet standards of identity or to restore nutrients lost in processing), and for which a DV has been established.

Exemptions:

- Sugar-free mints, gum and gelatin.
- Beverages, including bottled waters that meet FDA regulations for “low calorie,” “very low sodium,” and contain ≤ 5 g added sugars per LSS (does not include diet sodas).

Food with NFP dual-labeling:

- 1) For products that are packaged and sold as a single serving, contain more than 150% but less than 200% of the RACC, and provide dual columns on the NFP, the NTL and NCTE criteria may be based on the common household measure that most closely approximates the RACC. See, 21 C.F.R. § 101.9 (b)(6).
- 2) For products that are packaged as an individual unit in a multi-serve pack, weigh 50% or less of the reference amount, and provide dual columns on the NFP (per serving and per individually wrapped unit), the NTL and NCTE criteria may be based on the nutritional information per individually wrapped unit. See, 21 C.F.R. § 101.9 (b)(2)(i)(A) and 21 C.F.R. § 101.9 (b)(10)(ii).

F/V/D/M/WG: Any combination of fruits, vegetables, non/low-fat dairy, meat or meat alternate, and/or whole grains. USDA Food Group Serving Equivalents for F/V/D/M are noted in the Table below. To provide a ½ serving of whole-grain (WG), a food must provide ≥ 8 grams of whole grains and meet at least one of the following: 1) First ingredient a whole grain, or 2) ≥ 50% whole grains by weight of product; or 3) 50% whole grains by weight of grains.

LSS: Labeled serving size.

NCTE: Nutrient components to encourage required under CFBAI’s nutrition criteria are F/V/D/M/WG, under-consumed nutrients, or essential nutrients. Foods that have F/V/D/M/WG as the first ingredient after water also qualify.

NTL: Nutrients to limit are calories, saturated (sat) fat, *trans* fat, sodium, and added sugars.

RACC: Reference amount customarily consumed.

Serving(s): See USDA Food Group Serving Equivalents Table.

Trans fat: The criteria for *trans* fat is 0 g. For foods in the meat and dairy categories served as individual foods or as part of composite dishes or meals, naturally occurring *trans* fats are excluded.

Under-consumed nutrients: The 2015 DGA recognize certain nutrients as “under-consumed” because they are widely consumed in amounts below the Estimated Average Requirement or Adequate Intake levels (2015 DGA, Chapter 2, Page 60). Under-consumed nutrients identified in the 2015 DGA are calcium, choline, fiber, iron, magnesium, potassium, and Vitamins A, C, D and E.

USDA Food Group Serving Equivalents: (See Table below). Meat/meat alternate aligns with the USDA Food Group Serving Equivalents that CFBAI currently uses to measure food groups and the USDA meal planning requirements for the federal school lunch and breakfast programs. Meat/meat alternate includes meat, poultry, seafood, eggs, legumes (beans and peas), soy products, and nuts and seeds. One oz-eq is 1 ounce of meat, poultry, or seafood; 1 egg; ¼-cup of cooked beans or tofu; 2 Tbsp peanut butter; or 1 ounce of nuts or seeds.

Yogurt-type products: Includes products that contain cultured dairy-based yogurt in liquid form, such as yogurt-based smoothies.

Whole grains: Grains and grain products made from the entire grain seed, usually called the kernel, which consists of the bran, germ, and endosperm. If the kernel has been cracked, crushed, or flaked, it must retain the same relative proportions of bran, germ, and endosperm as the original grain in order to be called whole grain. Many, but not all, whole grains are also sources of dietary fiber (2015 DGA, Page 96).

USDA Food Group Serving Equivalents Table

Food Group Component	1 Serving	One-half Serving
Fruits and vegetables	½ cup	¼ cup
Fruit and vegetable juices	½ cup (4 fl oz)	¼ cup (2 fl oz)
Dried fruit	¼ cup	⅛ cup
Milks	1 cup (8 fl oz)	½ cup (4 fl oz)
Yogurt	8 oz	4 oz
Cheese, natural	1.5 oz	0.75 oz
Cheese, processed	2.0 oz	1.0 oz
Meat/meat alternate	1 oz-eq	½ oz eq
Whole grains	See Definitions and Notes	

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Table A1. Sources that Informed the Development of CFBAI’s Revised Nutrition Criteria

Source	Reference(s)
Government	
FDA regulations for nutrition labeling, labeled serving sizes, and nutrient content claims	21 C.F.R. 101 HHS/FDA/CFSAN, 2013
FDA, Voluntary Sodium Reduction Goals: Target Mean and Upper Bound Concentrations for Sodium in Commercially Processed, Packaged, and Prepared Foods: Guidance for Industry	FDA, 2016
Dietary Guidelines for Americans 2010 (DGA 2010)	HHS/USDA, 2010
Dietary Guidelines for Americans 2015 (DGA 2015)	HHS/USDA, 2015
Report of the 2015 Dietary Guidelines Advisory Committee (DGAC)	DGAC, 2015
USDA, National School Lunch Program	USDA, 7 C.F.R. § 210
USDA, School Breakfast Program	USDA, 7 C.F.R. § 220
USDA, Competitive Food Service and Standards (“Smart Snacks”)	USDA, 7 C.F.R. § 210.11
Institute of Medicine	
Nutrition standards for foods in schools: Leading the way toward healthier youth (IOM School Foods report)	IOM, 2007
School meals: Building blocks for healthy children (IOM School Meals report)	IOM, 2010a
Strategies to Reduce Sodium Intake	IOM, 2010b
Other	
American Academy of Pediatrics (AAP) Fruit Juices in Infants, Children and Adolescents	AAP, 2017
American Heart Association Heart-Check Food Certification Program	AHA, 2015, 2018
Disney	Disney, 2016
National Restaurant Association Kids LiveWell Program	NRA, 2017

Table A2. Contributors to CFBAI’s Review

Stakeholders and Organizations	
Academy of Nutrition and Dietetics	Grocery Manufacturers Association
Alliance for a Healthier Generation	Interfaith Center on Corporate Responsibility
American Academy of Pediatric	International Food & Beverage Alliance
American Heart Association	MomsRising
American Society for Nutrition	Partnership for a Healthier America
Center for Science in the Public Interest	Robert Wood Johnson Foundation
ChildObesity180	Target
Dr. William Dietz, GW Milken Institute School of Public Health	The Pew Charitable Trusts
Eat Well Global	Union of Concerned Scientists
Food Directions, LLC	Walmart
Food, Nutrition, & Policy Consultants, LLC	

Table A3. Government and Third-Party Recommendations or Criteria for Calories

Source	Recommendation or Criteria
FDA “low” claim	<ul style="list-style-type: none"> ≤ 40 calories/RACC (and per 50 g for small RACC) for individual foods ≤ 120 calories/100 g for main dishes and meals
USDA, National School Lunch and School Breakfast Programs	<ul style="list-style-type: none"> ≤ 350-500 calories (K-5 breakfast) ≤ 550-650 calories (K-5 lunch) ≤ 400-550 calories (6-8 breakfast) ≤ 600-700 calories (6-8 lunch)
USDA “Smart Snacks”	<ul style="list-style-type: none"> ≤ 200 calories for snack items ≤ 350 calories for entrée items
Disney	<ul style="list-style-type: none"> ≤ 140 calories for juices ≤ 30 calories per oz for yogurt/yogurt drinks (< 4 oz) ≤ 120 calories for yogurt/yogurt drinks (4-5.9 oz) ≤ 150 calories for milk/soy beverages ≤ 130 calories for cereals (per 28 g LSS) ≤ 150 calories for snacks ≤ 151-200 calories for granola bars ≤ 20 calories for water-based beverages
NRA Kids LiveWell	<ul style="list-style-type: none"> ≤ 600 calories for meals (entrée, side option, and beverage)

Table A4. Government and Third-Party Recommendations or Criteria for Saturated Fat

Source	Recommendation or Criteria
DGA 2015	< 10% of calories by replacing them with monounsaturated and polyunsaturated fatty acids
USDA, "Smart Snacks"	< 10% of calories
USDA, National School Lunch and School Breakfast Programs	< 10% of calories
Disney	≤ 1.1 g/100 calories for most categories (e.g., complete meals, mini meals, main dishes, side dishes, cereals, breads, soups, snacks) 1% or fat-free milk ≤ 1-2 g for yogurts
NRA Kids LiveWell	≤ 10% of calories (meal)

Table A5. Government and Third-Party Recommendations or Criteria for *Trans* Fat

Source	Recommendation or Criteria
DGA 2015	Keep trans fatty acid consumption as low as possible, especially by limiting foods that contain synthetic sources of <i>trans</i> fat, such as partially hydrogenated oils, and by limiting other solid fats
FDA	< 0.5 g/serving (labeled zero)
USDA "Smart Snacks"	0 g
Disney	0 g ("added <i>trans</i> fat")
NRA Kids LiveWell	< 0.5 grams <i>trans</i> fat (artificial <i>trans</i> fat only)

Table A6. Government and Third-Party Recommendations or Criteria for Sodium

Source	Recommendation or Criteria
DGA 2015	< 2,300 mg (and reduce intake to 1,500 mg for children ages 1-3 years)
FDA nutrient content claims	<ul style="list-style-type: none"> ≤ 140 mg/RACC for individual foods and per 100 g for main dish and meal-type products (“Low”) ≤ 480 mg/RACC & LSS for individual foods (“Healthy” and disclosure level) ≤ 600 mg/LSS for main dish and meal-type products (“Healthy”)
USDA, National School Lunch and School Breakfast Programs	<ul style="list-style-type: none"> ≤ 540 mg K-5 breakfast (Target 1), 485 mg (Target 2, SY 2024-2025) ≤ 1230 mg K-5 lunch (Target 1), 935 mg (Target 2, SY 2024-2025)
USDA, “Smart Snacks”	<ul style="list-style-type: none"> ≤ 200 mg for snack items ≤ 480 mg for entrée items
American Heart Association Heart Check program	<ul style="list-style-type: none"> ≤ 140 mg for fruit juices, fruits, grain-based products, snack bars, nuts, and meal sauces ≤ 240 mg for milk, cheese, yogurts, cereals, waffles, pancakes ≤ 360 mg for fish, meat and poultry, mixed dishes ≤ 480 mg for soups ≤ 600 mg for main dishes and meals
Disney	<ul style="list-style-type: none"> ≤ 140 mg for fruit/vegetable juices ≤ 150 mg for milk/soy beverages ≤ 200 mg per 28 g cereals ≤ 220 mg for snacks and granola bars ≤ 300 mg for side dishes ≤ 480 mg for soups and sauces ≤ 600 mg for main dishes and mini meals ≤ 740 mg for complete meals
NRA Kids LiveWell	≤ 770 mg for meals (entrée, side option and beverage)

Table A7. Government and Third-Party Recommendations or Criteria for Total Sugars or Added Sugars

Source	Recommendation or Criteria
DGA 2015	< 10% calories per day from added sugars
USDA “Smart Snacks”	≤ 35% of weight from total sugars
WIC Program	≤ 21.2 g of sucrose and other sugars per 100 g dry cereals
AHA	< 25 g of added sugars daily for children ages 2-18
AHA Heart-Check Food Certification Program	Category-specific added sugars requirements
Disney	<ul style="list-style-type: none"> 0 g added sugars for juice beverage ≤ 3 g total sugars per oz (≤ 24 g/ 8 oz) of fat-free or 1% milk ≤ 5 g added sugars (water-based beverage) ≤ 23 g total sugars (≥ 6 oz yogurt) ≤ 10 g total sugars per oz (cereal) ≤ 6.25 g total sugars per 100 calories or ≤ 25% of kcal (snacks) ≤ 1.1 g added sugars per 100 calories or 10% calories (complete meal, main dish)
NRA Kids LiveWell	≤ 35% of calories from total sugars for meals (entrée, side option, and beverage)

Table A8. Government and Third Party Recommendations or Criteria for Nutrition Components to Encourage

Source	Recommendation or Criteria
FDA “good source”	≥ 10% to 19% DV of the RDI or DRV (per RACC)
FDA “excellent source”	≥ 20% DV of the RDI or DRV (per RACC)
FDA “healthy”	≥ 10% DV for protein, fiber, calcium, iron, vitamin A, vitamin C Agency will exercise enforcement discretion if the food instead contains ≥ 10% of the DV per RACC of potassium or vitamin D
DGA 2015	Recommendations to increase consumption of whole fruits; a variety of vegetables; whole grains; fat-free or low-fat milk and milk products
USDA, School Breakfast Program	1 cup fruit, 1 oz-eq WG, 1 cup milk (fat-free or ≤ 1% unflavored), and 1 oz-eq meat/meat alternate once the WG requirement is met (daily for grades K-5)
USDA, National School Lunch Program	½ cup fruit, ¾ cup vegetables, 1 oz-eq WG, 1 cup milk (fat-free or ≤ 1% unflavored), and 1 oz-eq meat/meat alternate (daily for grades K-5)
USDA “Smart Snacks”	Foods sold in schools must: Be 50% whole grains by weight of grains or first ingredient whole grains; Have as the first ingredient a fruit, a vegetable, a dairy product or a protein food; Be a combination food that contains at least ¼ cup of fruit and/or vegetable
American Heart Association Heart-Check Food Certification Program	Standard Certification: ≥ 10% DV of vitamin A, vitamin C, iron, calcium, protein or dietary fiber (naturally occurring) Additional food category-specific requirements
Disney	Categories may include food group “requirements” or “recommendations”
NRA Kids LiveWell	1 food group (side option), 2 or more food groups (meals) Food groups: one-half cup fruit or veg, food that contains whole grains, 1 oz-eq lean protein, lower-fat dairy



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