

# **Dietary Guidelines Advisory Committee Releases Report with Recommendations for the 2020-2025 Dietary Guidelines for Americans**

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Food & Drug

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On July 15, the 2020 Dietary Guidelines Advisory Committee (DGAC) released its final report to the Department of Health and Human Services (HHS) and the U.S. Department of Agriculture (USDA),<sup>1</sup> outlining its recommendations for the 2020-2025 Dietary Guidelines for Americans (Dietary Guidelines). The Dietary Guidelines, a joint effort of HHS and USDA, provide the basis for federal food and nutrition policy and education initiatives. A new edition of the Dietary Guidelines is released every five years. DGAC's report contains advice for HHS and USDA, and those agencies have typically accepted most (though not all) of the DGAC's recommendations. The public may provide comments through August 13, 2020.

## **Lifespan Approach to Healthy Dietary Patterns**

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Two major themes animate the DGAC report: special nutritional considerations at different life stages, and using dietary patterns as a framework to develop the Dietary Guidelines.

DGAC recommends that the Dietary Guidelines take into account the different nutritional considerations that exist at each life stage, including pregnancy, lactation, birth to age twenty-four months, childhood, and adulthood. Unlike previous reports, the DGAC report provides a robust review of diet and health issues for pregnant and lactating women and for infants and toddlers from birth to twenty-four months. DGAC focuses on these life stages in recognition of the role that proper nutrition plays in promoting health and preventing chronic disease “across the lifespan.”<sup>2</sup> The report provides strategies for pregnant and lactating women to achieve food and nutrient intakes that promote optimal health outcomes for them and their children, and voices support for Federal programs that serve pregnant and lactating women. DGAC also provides advice for caregivers regarding how to implement a healthy diet for infants and

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<sup>1</sup> Dietary Guidelines Advisory Committee, *Scientific Report of the 2020 Dietary Guidelines Advisory Committee: Advisory Report to the Secretary of Agriculture and the Secretary of Health and Human Services* [hereinafter “DGAC report”], available at [https://www.dietaryguidelines.gov/sites/default/files/2020-07/ScientificReport\\_of\\_the\\_2020DietaryGuidelinesAdvisoryCommittee\\_first-print.pdf](https://www.dietaryguidelines.gov/sites/default/files/2020-07/ScientificReport_of_the_2020DietaryGuidelinesAdvisoryCommittee_first-print.pdf).

<sup>2</sup> DGAC report, Part B, Chapter 1: Introduction at 2.

toddlers, and recommends that federal agencies develop strategies to better educate the public on dietary health for this age group.

In keeping with a holistic view of dietary health, DGAC emphasizes the importance of using dietary patterns as a framework within and across life stages. Previous DGAC reports “focused on evidence that looked at the relationships between individual nutrients, foods, and food groups and health outcomes.”<sup>3</sup> However, “people do not consume nutrients or foods in isolation but in various combinations over time.”<sup>4</sup> DGAC reports growing evidence that “components of a dietary pattern may have interactive, synergistic, and potentially cumulative relationships that can predict overall health status and disease risk more fully than can individual foods or nutrients.”<sup>5</sup> Accordingly, DGAC’s report focuses on the relationship between dietary patterns and specific health outcomes.

## Specific Recommendations

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### Food Patterns

To help individuals implement the 2015-2020 Dietary Guidelines, USDA developed three Food Patterns: Healthy U.S.-Style Pattern, Healthy Vegetarian Pattern, and Healthy Mediterranean-Style Pattern. The Food Patterns identify daily recommended intakes in five major food groups (fruits, vegetables, grains, protein foods, dairy) and their subgroups, include an allowance for oils, and recommend limiting the maximum calories for other uses. The DGAC report endorses maintaining the current USDA Food Patterns in the new Dietary Guidelines without implementing any changes. DGAC notes that the three USDA Food Patterns share core components, “including obtaining the majority of energy from plant-based foods, such as fruits, vegetables, legumes, whole grains, nuts and seeds, and obtaining protein and fats from nutrient-rich food sources, while limiting intakes of added sugars, solid fats, and sodium.”<sup>6</sup>

### Sugars

DGAC recommends that Americans consume less than six percent of energy from added sugars, a four percent reduction from the limit set by the 2015-2020 Dietary Guidelines for Americans. Although DGAC is encouraged by data suggesting that the consumption of added sugars decreased slightly over the past decade, DGAC notes that for Americans one year and older, average consumption of sugar represents thirteen percent of daily energy intake.

DGAC also analyzes the relationship between the sugar in beverages and health outcomes. According to DGAC’s report, evidence shows 100% juice beverages are nutrient-rich and not associated with indices of adiposity, but sugar-sweetened beverages are associated with adiposity in both children and adults. DGAC found the consumption of low- or no-calorie sweetened beverages was associated with reduced adiposity in adults, and the report “recommends these food ingredients be considered as an option for managing body weight.”<sup>7</sup> This is a reversal of the recommendations in the 2015 DGAC report, which concluded that low-

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<sup>3</sup> *Id.* at 3.

<sup>4</sup> DGAC report, Part A. Executive Summary at 2.

<sup>5</sup> *Id.*

<sup>6</sup> DGAC report, Part D. Chapter 14: USDA Food Patterns for Individuals Ages 2 Years and Older at 32.

<sup>7</sup> DGAC report, Part D. Chapter 10: Beverages at 23.

or no-calorie sweeteners should not be recommended for use as a replacement for added sugars in food and beverages.

### **Alcohol**

The DGAC report recommends that men consume no more than one alcoholic drink per day. The current Dietary Guidelines for Americans recommend a limit of no more than two drinks per day for men and no more than one drink per day for women on days when alcohol is consumed. DGAC states that there is no evidence that would support “relax[ing] current Dietary Guidelines for Americans recommendations,” and instead finds that evidence supports tightening the restrictions on men to bring their recommendation in line with that for women.<sup>8</sup> According to DGAC, gender-based recommendations for alcohol-related outcomes are not supported at lower levels of consumption. Moreover, “because men are more likely to drink and accrue alcohol-related outcomes compared to women, reducing consumption in men would have a relatively large health impact at the population level.”<sup>9</sup> DGAC notes that other high-income countries, such as Australia, the Netherlands, the United Kingdom, and France, “have tightened alcohol drinking guidelines for men and harmonized them with women.”<sup>10</sup> “[A]lcohol is an unhealthy substance,” DGAC concludes, and “at all levels of consumption, drinking less is generally better for health than drinking more.”<sup>11</sup> DGAC strongly discourages drinking any alcohol based on a belief that doing so is good for health.

### **Public Comment Period**

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HHS and USDA encourage the public to submit written comments to the agencies on the DGAC Report. They will consider such comments along with the DGAC’s report as they develop the Dietary Guidelines. The written public comment period will end on August 13, 2020. HHS and USDA will also hold a public meeting to listen to oral comments on August 11, 2020. Registration to present oral comments will be announced closer to the meeting date.

If you have any questions concerning the material discussed in this client alert, please contact the following members of our Food & Drug practice group:

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<sup>8</sup> DGAC report, Part A, Executive Summary at 10.

<sup>9</sup> DGAC report, Part D, Chapter 11: Alcoholic Beverages at 25.

<sup>10</sup> *Id.*

<sup>11</sup> *Id.* at 26.