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Department of Health and Human Services, Food and Drug Administration

Department of Agriculture

[Docket No. FDA-2025-N-1793]

Via Regulations.gov

ULTRA-PROCESSED FOODS; REQUEST FOR INFORMATION

The National Automatic Merchandising Association (NAMA) appreciates the opportunity to comment on the Food and Drug Administration and U.S. Department of Agriculture request for information, “Ultra-Processed Foods; Request for Information” (Docket No. FDA-2025-N-1793).¹ NAMA represents the \$40 billion U.S. convenience services industry: the owners and operators of unattended retail locations, including micro markets, vending machines, and office pantry providers. NAMA and its members are deeply invested in promoting healthy choices for consumers. Since 2019, the industry has collaborated with the Partnership for a Healthier America in an ongoing commitment to increase the availability of ‘better-for-you’ eating and drinking options in vending by 40 percent.² The industry is dedicated to providing convenient, affordable, and nutritious food choices that meet the needs of more than 40 million American consumers each day—whether at work, at home, or on the go. By ensuring reliable, affordable access to a variety of products, including healthy foods, industry owners and operators can play a pivotal role in closing nutrition gaps.

NAMA is supportive of the overarching U.S. Department of Agriculture (USDA) and Food and Drug Administration (FDA) goal to improve nutrition and public health outcomes for Americans. Over the last decade, the convenience services industry has prioritized adapting to domestic health needs by diversifying the variety of food and beverages available in the channel.

Access to nutrition is fundamentally connected to reducing chronic illness and premature death. It is crucial that any definition or classification of “ultra-processed” does no harm to access, including for low income and working Americans. NAMA urges USDA and FDA to ensure that safe ingredients and processes used to improve Americans’ ability to access nutrition—whether

¹ U.S. Food and Drug Administration, & U.S. Department of Agriculture. (2025, July 25). *Ultra-Processed Foods; Request for Information*. *Federal Register*, 90(141), 35305–35309. <https://www.federalregister.gov/documents/2025/07/25/2025-14089/ultra-processed-foods-request-for-information>

² National Automatic Merchandising Association. (2019). *Public health commitment*. Retrieved October 23, 2025, from <https://namanow.org/convenience-services/public-health-commitment/>

through shelf stability, affordability, or nutrition content—are not intentionally or inadvertently included in the definition.

The convenience services industry reaches more than 40 million Americans every day, often in locations where access and product availability is vital. For many households, time and budget drive nutrition decisions; extended working hours, long commutes, and income limit frequent grocery store trips and home cooking. The convenience services industry meets these consumers where they are, providing individuals and families dependable access to affordable and nutritious food choices in locations like rural worksites, manufacturing facilities, and large campus environments. Defining “ultra-processed” in a manner that jeopardizes the longevity, affordability, and nutrition of goods stocked in such locations increases the risk of food insecurity for Americans.

Including FDA approved, safe ingredients and processes within a definition of “ultra-processed” may vilify products that are both safe and nutritious. Such a classification could lead to unnecessary product reformulation or discourage consumer purchasing of these goods. Labeling a product as “ultra-processed” whether directly on packaging or associating the good with the term, is likely to dissuade consumers from buying products that rely on proven, safe methods to maintain affordability, shelf stability, and nutrient density. Simultaneously, it may push manufacturers to substitute ingredients or production methods, leading to increased costs and prices for consumers. This will reduce consumer access to affordable, nutritious options—an outcome that runs counter to the outlined public health objectives and disproportionately impacts low income, working Americans.

1. Definition/classification must not include safe ingredients or processes used to extend shelf life

If FDA and USDA establish a definition or classification for “ultra-processed” it must exclude FDA authorized, safe techniques and ingredients utilized to preserve the shelf stability of foods. Many preservation techniques and ingredients are benign for consumption and fundamental to protecting food safety. Product shelf stability maintains food safety by preventing bacteria growth and spoilage. For example, fresh baked bread may last for three to four days without any preservative processes or ingredients. The addition of an FDA authorized mold inhibitor has been deemed safe for human consumption and significantly extends the shelf life of bread, without increasing the risk of ingesting harmful bacteria. The inclusion of this ingredient enables retailers to stock more bread between deliveries and ensures the bread lasts long enough for consumer use, protecting access for individuals unable to frequent grocery stores or afford multiple loaves.

In addition to the use of certain ingredients, techniques such as vacuum sealing or high-pressure processing allow goods—fruit and vegetable smoothies, whole grain snack bars with dried fruit—

to be stocked in consumer pantries for months at a time. These techniques are used to preserve the shelf stability of goods, ensuring families without consistent access to grocery stores are able to purchase, store, and safely consume food. NAMA recommends USDA and FDA exclude safe, FDA-authorized preservation ingredients and processes from any “ultra-processed” definition or classification.

2. Definition/classification must not include safe ingredients or processes which increase product nutrition

If FDA and USDA adopt a definition for “ultra-processed,” safe ingredients and processes which enrich goods with vitamins and minerals for health benefits should be excluded. These ingredients and processes yield significant public health benefits by increasing the availability of essential nutrients in affordable, accessible products. For example, vitamins, iron, protein, and calcium can be added to foods in order to improve health outcomes.

Americans relying on ready-to-eat food, often due to affordability or time constraints, benefit from products enhanced to deliver essential nutrients. For example, folic acid is used to increase the intake of Vitamin B in many grain products like breakfast cereals. Following the incorporation of folic acid into cereals, a decrease in neural tube defect affected pregnancies was reported in the United States.³ Federal food programs for vulnerable populations underscore the benefits of nutrient fortification. The Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) program requires cereals to contain at least 28 mg of iron per 100g in order to ensure access to essential nutrients.⁴ The 2024 USDA rule also requires Vitamin D fortification in all WIC program yogurts.⁵

Similarly, shelf-stable protein goods such as lean beef or poultry jerky utilize processes such as curing and drying to provide the good in a palatable, safe manner without altering its nutritional value. These processes are critical to ensuring access to protein for low income or time-strapped consumers who do not have the luxury of preparing each meal. Fortified, shelf-stable options are often the lowest-cost, highest-reach vehicles for delivering essential nutrients in low-access areas. Any definition of “ultra-processed” must avoid including FDA authorized, safe ingredients and processes employed to preserve or increase the availability of nutrients within products.

3. Definition/classification must not include cost-effective, safe ingredients or processes which improve affordability

³ Centers for Disease Control and Prevention. (2015). *Updated estimates of neural tube defects prevented by mandatory folic acid fortification—United States, 1995–2011*. MMWR, 64(1), 1–5.; Centers for Disease Control and Prevention. (2025). *About folic acid*. Retrieved October 23, 2025, from <https://www.cdc.gov/folic-acid/about/index.html>

⁴ WIC cereal iron requirement (≥ 28 mg/100 g): (7 CFR 246.10; eCFR table for Breakfast Cereal)

⁵ (Federal Register, “Revisions in the WIC Food Packages,” April 18, 2024; Public Inspection PDF shows 106 IU spec). [Federal Register Public Inspection](#). (USDA FNS Policy Memo 2024-5 clarifying implementation at 7 CFR 246.10(e)(12)).

NAMA recommends that if FDA and USDA adopt a definition for “ultra-processed,” FDA authorized, safe ingredients and processes which increase affordability be excluded. Nutrition is only accessible and therefore able to support public health, when it is affordable.

Processed foods tend to cost less per calorie both in capital and time, making them especially valuable for low-income, working Americans. For example, drying and dehydration techniques can convert perishable produce into shelf-stable goods such as dried fruit slices. For low-income families and households without consistent access to a grocery store, this provides an affordable alternative to purchasing raw fruit—which may spoil too quickly. Similarly, tuna pouches and canned beans deliver protein at a low cost, presenting an affordable substitute for fresh meat products. These methods yield budget-friendly choices that retain key nutrients, making nutrition available in affordable forms. A definition or classification of “ultra-processed” which captures safe, inexpensive ingredients risks increasing consumer prices by triggering product reformulations.

Thank you for considering the National Automatic Merchandising Association's feedback. As the voice of the convenience services industry, NAMA is committed to being a constructive partner in efforts to improve public health through increasing consumer access to nutrition. If FDA and USDA move forward with a definition of "ultra-processed," it should safeguard—rather than jeopardize—access to affordable, shelf-stable, nutrient-dense products for Americans. Please do not hesitate to reach out to NAMA Government Affairs Manager Lauren Janes (ljanes@namanow.org) with questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "W.H. Meierling", with a stylized flourish at the end.

Bill Meierling

Senior Vice President, External Affairs

National Automatic Merchandising Association