Plant-Based Milk Alternatives Category Criteria

I. Background

The Children's Food and Beverage Advertising Initiative's Category-Specific Uniform Nutrition Criteria, 2nd ed. (UNC) did not include nutrition criteria for plant-based products like plant-based milk alternatives when it was announced in 2018 and implemented in 2020. CFBAI explained at the time that although sales of plant-based products were increasing, category criteria for plant-based products were not being adopted because no plant-based products were being advertised to children. CFBAI stated that it would continue to assess the need for plant-based alternative categories and develop appropriate criteria if needed.[1]

Since 2018, the plant-based milk alternative (PBMA) category has significantly grown through product innovations, increased product variety, expanded distribution, and evolving consumer preferences and demand. With this growth, advertising for PBMAs has become more prevalent. CFBAI therefore considers it appropriate to establish nutrition standards for PBMAs in advertising directed to children and is adding a new Category 18, Plant-Based Milk Alternatives, to its UNC. This appendix to the 2018 White Paper explains the new PBMA category criteria.

II. Category 18: Plant-Based Milk Alternatives

A. Scope

CFBAI's new plant-based milk alternatives category applies to plant-based products that are often used in place of dairy milk, such as soy milk, almond milk, oat milk, pea milk, and blends thereof *(e.g.*, almond-coconut milk or oat-coconut milk). PBMAs are typically derived by combining the characterizing ingredient(s) (*e.g.*, soy) with water, which is commonly the first ingredient in the ingredient list on the label. The PBMA category does not include fruit or vegetable juices, which are subject to the UNC's "Juices" category, or plant-based meat alternatives or other plant-based dairy alternatives such as plant-based cheese alternatives or plant-based yogurt alternatives.[2]

B. Nutrition Components

CFBAI used its Milks category as a reference point for the PBMA category in recognition of the important nutrients that dairy milk can contribute to children's diets and that consumers may use PBMAs as an alternative to dairy milk. At the same time, animal-based dairy milk and PBMAs have inherent differences that necessitate different category criteria.[3]

1 CFBAI, Category-Specific Uniform Nutrition Criteria, 2nd ed. 2018 White Paper at 21, n. 18 (Sept. 2018).

2 At this time, CFBAI is not adopting criteria for these other plant-based dairy alternative products or plant-based meat alternative products but continues to assess these products and may adopt criteria for these products in the future. In contrast to PBMAs, CFBAI has not observed advertising of these other plant-based products in child-directed media.

3 For example, CFBAI's Milks category requires that each 8 oz. serving of dairy milk provide 1 cup of dairy, a requirement that PBMAs inherently cannot meet.

To approximate dairy milk's nutrient density within the context of PBMAs, CFBAI used fortified soy milk as the basis for the PBMA category criteria because soy milk is the only PBMA product identified by the 2020-2025 Dietary Guidelines for Americans (DGA) as having a nutritional composition similar to dairy milk and appropriate for inclusion in the dairy group.[4] The resulting PBMA category requires that PBMAs in child-directed advertising provide strong positive nutrition contributions while not exceeding defined limits on saturated fat, sodium, and added sugars.

i. PBMA Category Reference Unit

The reference unit for the new PBMA category is 8 fluid ounces, which is the Reference Amount Customarily Consumed ("RACC") under FDA labeling rules and the reference unit for CFBAI's existing Milks category. Like other categories, PBMAs may be sold in units with Labeled Serving Sizes (LSS) that are smaller than the RACC. Like CFBAI's Milks category, the PBMA category requires the category nutrition criteria to be proportionally lowered if the LSS is smaller than the reference unit.

ii. Nutrition Components to Encourage (NCTE)

The PBMA category criteria sets robust NCTE requirements based on the nutritional profile of fortified soy milk to reflect the nutrient-density and protein quality of the dairy food group. Calcium and vitamin D are both nutrients of public health concern provided by dairy milk and the DGA cites soy milk's fortification with calcium and Vitamin D for its inclusion in the dairy group. Accordingly, the PBMA category requires that PBMAs provide at least 10% of the daily value (DV) of calcium (an NCTE in the Milks category) and 10% of the DV of Vitamin D.[5]

Soy milk also provides protein that is comparable to the high-quality protein of dairy milk. The PBMA category criteria requires PBMAs to provide at least 10% of the DV of protein (i.e., a "good source"), which can be a challenging requirement for PBMA products.[6] As most PBMAs currently in the market do not meet these strong NCTE requirements for nutrient density, CFBAI believes the PBMA category criteria will drive meaningful product innovation.

iii. Nutrition Components to Limit (NTLs)

The PBMA category sets the same limits on calories, saturated fat, and sodium as CFBAI's current Milks category. Calories, saturated fat, and sodium in soy milk and other PBMAs are typically similar to or lower than dairy milk. Setting the NTLs for PBMAs at the same level as the Milks category allows flexibility for continued product innovation in balancing consumer taste preferences with delivery of the important nutrient contributions required by the PBMA category's strong NCTE requirements.

The PMBA category's limit on added sugars is 2 grams higher than the Milks category due to PBMAs' lack of the inherent sugar (lactose) present in dairy milk. PBMAs typically have 1 gram or less of naturally occurring sugar per 8 oz. serving and thus lack the sweetness provided by the approximately 12 grams of sugar (lactose) inherent in an 8 oz. serving of dairy milk.[7] To account for this, CFBAI set the added sugars limit for the PBMA category at

4 *Dietary Guidelines for Americans, 2020-2025*, at pg. 33 ("For individuals who choose dairy alternatives, fortified soy beverages (commonly known as "soy milk") and soy yogurt—which are fortified with calcium, Vitamin A, and Vitamin D—are included as part of the dairy group because they are similar to milk and yogurt based on nutrient composition and in their use in meals.").

5 Vitamin A, although referenced by the DGA in regard to the fortification of soy milk, is not identified by the DGA as a nutrient of public health concern and therefore has not been made an NCTE requirement. CFBAI notes that the NCTE requirements are minimum requirements and expects market competition to drive fortification of PBMAs with vitamin A and other vitamins, minerals, and nutrients found in dairy milk.

6 The % DV of protein is calculated based on the Protein Digestibility Corrected Amino Acid Score (PDCAAS), which indicates a food's protein quality. Proteins with all nine essential amino acids ("complete proteins") are almost exclusively from animal sources and deemed of higher quality than proteins without all nine essential amino acids ("incomplete proteins"). Alone, many plant-based proteins are incomplete proteins. For example, one gram of animal protein might provide 1% DV of protein, but one gram of plant-based protein might provide only 0.5% DV of protein, making it more difficult for many PBMAs to meet the 10% DV of protein requirement.

7 USDA Food Data Central, available at https://fdc.nal.usda.gov/fdc-app.html#/food-search?query=milk&type=Foundation.

12 grams, which is balanced by the PBMA category's robust positive nutrient contribution requirements. Moreover, given the relative absence of inherent sugars in PBMAs compared to dairy milk, the total sugar contribution (i.e., inherent sugars plus added sugars) of PBMAs meeting the PBMA category criteria will typically be lower than the total sugar contributions of comparable dairy milks, which permits 10 grams added sugar.[8]

III. Conclusion

CFBAI's adoption of PBMA category criteria reflects the growth of plant-based milk alternative products in the market and in the diets of consumers, including children. The robust NCTE requirements of the category are based on CFBAI's recognition that consumers may use PBMAs in place of dairy milk and the importance of dairy milk in some children's diets, while the category's NCTE limits acknowledge the products' inherent differences. CFBAI will continue to monitor the evolution of the plant-based food and beverage sector and scientific and regulatory guidance and assess the need for future revisions to the PBMA category criteria or the adoption of category criteria for other plant-based products.

8 The added sugars limits in CFBAI's Milks and PBMA categories are intended to allow flavored products. While acknowledging the need to limit added sugars in children's diets, the USDA recently adopted the same 10g added sugar limit for milks sold in school meals in recognition that flavored milk has been shown to encourage children's milk consumption and intake of the important nutrients that dairy milk provides, particularly calcium and vitamin D. *See* 7 C.F.R. §210.10, *see also* Final Rule, Child Nutrition Programs: Meal Patterns Consistent with the 2020-2025 Dietary Guidelines for Americans, 89 Fed. Reg. 31962, 31984 (April 25, 2024) ("USDA acknowledges the benefit of allowing flavored milk to be offered as a strategy to promote milk consumption, a beverage that provides several nutrients that are underconsumed during childhood and adolescence."). CFBAI followed the same rationale in balancing the PBMA category's added sugar limit with category's strong positive nutrient requirements.