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P.O. Box 2885  
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**RE: 7 CFR Part 246 [FNS-2022-0007] RIN 0584-AE82 Special Supplemental Nutrition Program for Women, Infants, and Children (WIC): Revisions in the WIC Food Package**

Dear Sir or Madam,

Soy Nutrition Institute Global (SNI Global) thanks the U.S. Department of Agriculture (USDA) for the opportunity to comment on the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC): Revisions in the WIC Food Package. SNI Global is the leading voice representing soy industry producers, suppliers, and users up and down the soy value chain involved with soybeans and/or soy ingredients intended for human use. We welcome the opportunity to comment on this proposed rule to ensure soyfoods and soymilk are incorporated into the WIC food package in a way that will best suit participants' needs.

SNI Global applauds USDA for expanding the WIC Food Package to include soy-based yogurt and soy-based cheese. Soyfoods and soymilk provide high-quality protein and a variety of vitamins and minerals that can help address the nutritional needs of low-income pregnant, breastfeeding, and non-breastfeeding postpartum individuals, infants, and children. Further, unlike some other plant proteins, soy protein provides the same quality as animal protein and, therefore, can help meet the protein needs of children as well as adults.

While we are happy to see the inclusion of more soy products in the WIC Food Package, SNI Global is responding to USDA's request for comments on the potential added sugar thresholds for soymilk and soy-based yogurt as well as on the market feasibility for the proposed calcium and vitamin D nutrient specifications for tofu and soy-based cheese.

**USDA Should Acknowledge the Role of Added Sugar in Soymilk**

SNI Global is supportive of USDA's proposal to reduce total sugars in soymilk and soy yogurt to the specified levels to further align with recommendations in the Dietary Guidelines to limit sugar intake. The levels specified in this proposed rule would still allow for the inclusion of many soymilk and soy yogurt products in the WIC food package.

Unlike dairy, which has inherent levels of lactose, fortified soymilk, and soy yogurt include added sugar for palatability. However, for soymilk, a focus on added sugars would limit participants' selection of soymilk in the WIC food packages if the added sugar threshold was very low. By suggesting a new total sugar limit for soymilk to  $\leq 12$  grams of total sugars per 8 ounces, the



proposed rule is suggesting that it would allow for at least 24% daily value (DV) added sugar per 8 ounces of soymilk. In response to the Department’s specific interest in the use of an added sugar limit instead of a total sugar limit, SNI Global suggests the Department considers keeping the total sugar limit as proposed in this rule. However, if the Department moves forward with an added sugar limit for soymilk, our members propose that the added sugar limit is reflective of the inherent nature of added sugar in soymilk.

Further, as background, it is important to note the 5-8 grams of added sugar in many soymilks is half the amount of total sugar present in dairy milk (see Table 1). Fortified soymilk can help deliver the same nutrients that dairy milk provides and is an inclusive solution for the many Americans who, for a variety of reasons, limit or avoid dairy milk. Further, as lactose has 40% of the sweetness of sucrose,<sup>1</sup> plant-based non-dairy beverages such as fortified soymilk that are designed to be iso-sweet analogs of unsweetened low-fat or skim milk products (in which 5 grams of added sucrose is equivalent to the 12 grams of naturally occurring lactose per 250 mL serving) will necessarily need to contain sucrose at a higher level. There is no evidence to indicate that the substitution of sucrose for lactose at these levels would have any adverse effects.<sup>2</sup>

*Table 1: Total and added sugar comparisons between dairy and soymilk*

Dairy Milk Type (Per 236 ml)	Total Sugar (source: Naturally Occurring)	Soymilk Type (Per 236 ml)	Added Sugar (source: Added Sugar)
1% dairy milk	12 grams	Original (sweetened) soymilk	5 grams
2% dairy milk	12 grams	Vanilla soymilk	8 grams

*\*Data for dairy pulled from Walmart Great Value products and data for soymilk, from Danone Silk soymilk products*

### **Marketplace Availability of Tofu, Soy-Based Cheese, and Soy-Based Yogurt with Proposed Fortification Requirements**

In response to the Department’s requests for public comment on the marketplace availability of soy-based yogurt, tofu, and soy-based cheese that meet the proposed fortification requirements, SNI Global has gathered information on the feasibility of our member’s products meeting these specifications and proposes the following based on that information.

### **Proposed protein, calcium, and Vitamin D specifications for soy-based yogurt**

SNI Global supports the addition of soy-based yogurt in the WIC food package as a substitution option for dairy to help accommodate the diverse dietary, allergy, and cultural and personal preferences of WIC participants. SNI Global is aligned with the proposed rule recommendation for

<sup>1</sup> Helstad S. Chapter 20 – Corn Sweeteners. In Serna-Saldivar SO (Ed.) Corn (Third Edition). AACC International Press, 2029, Pages 551, 591.

<sup>2</sup> Chiavaroli L, Cheung A, Ayoub-Charette S, Ahmed A, Lee D, Au-Yueng F, XinYe Q, Black S, McGlynn N, Ha V, Lai E, Khan TA, Zurbau A, Blanco Mejia S, Zurbau A, Choo V, de Souza RJ, Wolever TM, Leiter LA, Kendall CW, Jenkins DJ, Sievenpiper JL. Important food sources of fructose-containing sugars and adiposity: a systematic review and meta-analyss of controlled feeding trials. Am J Clin Nutr, in press.



protein and calcium requirements for soy-based yogurt of at least 250 milligrams of calcium and 6.5 grams of protein per 1 cup serving, which translates to at least 187.5 milligrams of calcium and 5 grams of protein for a 6-ounce RACC serving of soy-based yogurt. However, we respectfully suggest that a vitamin D requirement for soy-based yogurt be consistent with the recently updated dairy yogurt standard of identity. This would set a value of at least 10% of the DV or 80 IU (2 mcg) per RACC of 6 ounces of soy-based yogurt, the same as dairy yogurt.

The USDA requested public comment on the proposed limit on total sugars for yogurt with a specific interest in the use of an added sugars limit instead of a total sugars limit, such as the suggested added sugars limits for yogurt provided in Table 6.5 of the National Academies of Sciences Engineering and Medicine (NASEM) report (or an alternative). While the NASEM report does not include guidance on added sugar limits for soy-based yogurt, SNI Global supports the 2017 NASEM report recommendation of 30 grams total sugar per 8 oz. dairy yogurt or 23 grams total sugar per 6 oz. dairy yogurt for soy-based yogurt.

Regarding added sugar, sugar added to soy-based yogurts is included to approximate the flavor of naturally occurring lactose in dairy yogurt and for yogurt flavoring (strawberry, blueberry, etc.). If the naturally occurring sugar for dairy yogurt in the NASEM report is updated to the lower current marketplace levels, then our members believe that the added sugar limit for soy-based yogurt should be comparable to the naturally occurring lactose and added sugar levels in dairy yogurt. This approach would be consistent with the NASEM report recommendation for soy-based beverages' added sugar limits and comparable to dairy beverages' naturally occurring total sugar.

**Proposed calcium specification for tofu**

SNI Global is in support of fortification requirements for calcium in milk substitution options such as tofu. However, based on marketplace availability, there are currently few brands of tofu that could meet the specification requirement for calcium in this proposed rule. The proposed rule suggests that tofu must contain a minimum of 200 milligrams of calcium per 100 grams of tofu. However, based on data from seven major tofu brands, none of these brands would meet these specifications as proposed (see Table 2). Of the major brands in Table 2, all seven brands would need at least 24% more calcium to reach the proposed specification of 200 milligrams of calcium per 100 grams of tofu. While companies work to continue to innovate to provide more nutrition to WIC participants, SNI Global recommends USDA lower the calcium specifications so that more brands can meet this specification.

*Table 2. Calcium per 100 grams tofu across seven major tofu brands*

Tofu Brands	Brand 1	Brand 2	Brand 3	Brand 4	Brand 5	Brand 6	Brand 7
<b>Amount of calcium (mg)/tofu(g)</b>	139 mg	152 mg	154 mg	32 mg	131 mg	126 mg	149 mg
<b>Percentage increase in calcium needed to meet WIC fortification requirements</b>	31%	24%	23%	84%	35%	37%	26%



**Proposed Vitamin D, Calcium, and Protein Specifications for Soy-based Cheese**

Our members support and applaud the inclusion of soy-based cheese in the WIC food package. However, there are almost no completely soy-based cheeses that would meet the proposed specifications on the market. While not an exhaustive list, Table 3 includes most plant-based cheese currently on the market from major companies. As indicated by the amount of protein and calcium in these cheeses, most of these products contain little protein or calcium and would not meet the proposed fortification requirements of 250 milligrams calcium and 6.5 grams protein per 1.5-ounce serving. Further, many soy-based cheeses include other proteins such as casein. SNI Global requests USDA clarify what types of soy-based cheeses would qualify and if mixed-based cheeses would be allowed.

*Table 3. Protein and Calcium in Major Plant-based Cheese Brands*

<b>Company</b>	<b>Product</b>	<b>Serving Size</b>	<b>Protein (g)</b>	<b>Calcium (mg)</b>
Brand 2	Plant Milk Cheese	1 oz	3	11
	Cashew Cheese	1 oz	2	0
	Cashew Mozerella	1 oz	0	26
Brand 2	Plant-Based Mozerella	1 oz	0	26
Brand 3	Cheddar Slices	22g	.2	150
	Swiss Slices	22g	.2	150
Brand 4	American Slices	22g	0	0
Brand 5	Original Cheese	20g	0	NI
Brand 6	American Slices	20g	0	0
Brand 7	American Slices	20g	0	5

In summary, SNI Global commends the agency’s efforts to align the WIC food package with the *Dietary Guidelines for Americans, 2020-2025*. Our members also applaud the inclusion of soy-based yogurt and soy-based cheeses as substitution options for milk as well as the expansion of substitution options for tofu as a substitute for eggs. Per our recommendations above, we are in



support of the inclusion of soyfoods and soymilk in the WIC food packages to provide nutrition and significant amounts of protein to underserved populations in need.

Respectfully,

Julie Ohmen  
Chief Executive Officer  
SNI Global

Soy Nutrition Institute Global