



---

Editorial

## The Need to Regulate the Term “Natural” in Food Labeling

Ricardo Molins <sup>a</sup>

<sup>a</sup> Office of the Texas State Chemist, Texas A&M AgriLife Research, Texas A&M University System, College Station, TX 77841, USA

---

The term “natural” appears in the label of food products valued in the billions of dollars, and yet, nobody, particularly consumers, can be sure of its meaning. The term “natural” conveys the idea of purity, healthy, wholesome, unadulterated, but as Time Ideas described it, *“the word is a kind of orphan child, undefined by government, misused by industry and without a provenance or a use for the average American consumer”*.<sup>1</sup>

The question is: what is a natural food or an all-natural food? According to Wikipedia, *“Natural foods and all natural foods are widely used terms in food labeling and marketing with a variety of definitions, most of which are vague. The term is often assumed to imply foods that are not processed and whose ingredients are an all natural products (in the chemist's sense of that term), thus conveying a appeal to nature. But the lack of standards in most jurisdictions means that the term assures nothing. In some countries, the term “natural” is defined and enforced. In others, such as the United States, it is not enforced”*.<sup>2</sup>

Although the need to regulate the use of “natural” in food labeling has long been recognized by the U.S. Food and Drug Administration (FDA), the agency has not done so, although it claims to have long considered the term “natural” to mean that, *“nothing artificial or synthetic has been included in, or has been added to, a food that would not normally be expected to be in that food”*.<sup>3</sup> In 2008 the agency considered that there was not enough evidence that consumers were being misled by the term “natural”. Consequently, the FDA said that it had no intention to define the term “natural” for food products any time in the near future and that its limited resources had to be used to attend other priorities.<sup>2</sup>

However, the FDA’s stance changed in 2015 because three Citizen Petitions asking that the agency define the term “natural” for use in food labeling were received, as well as one Citizen Petition asking that the term “natural” be banned from appearing on food labels. In addition, the FDA indicated that, *“some Federal courts, as a result of litigation between private parties, have requested administrative determinations from the FDA regarding whether food products containing ingredients produced using genetic engineering or foods containing high fructose corn syrup may be labeled as natural”*.<sup>3</sup> In a 2015 request for public information and comments

that closed on May 10, 2016, the FDA asked whether it is appropriate to define the term “natural,” how should the term be defined, and how to determine the appropriate use of “natural” on labels. A decision by the FDA is still pending.

In contrast to foods regulated by the FDA, the U.S. Department of Agriculture (USDA), through its Food Safety and Inspection Service (FSIS), allows the use of “natural” on meat and poultry product labels when it is, “*A product containing no artificial ingredient or added color and is only minimally processed. Minimal processing means that the product was processed in a manner that does not fundamentally alter the product. The label must include a statement explaining the meaning of the term natural (such as “no artificial ingredients; minimally processed”)*”.<sup>4</sup> In addition, the U.S. Code of Federal Regulations defines what the terms “natural flavor” or “natural flavoring” mean in the labeling of animal products (21CFR501.22).<sup>5</sup>

Other countries also regulate the use of “natural” for food flavoring compounds. The European Union legislation, for example, defines it for mineral waters<sup>6</sup> and flavorings<sup>7</sup>, but not for other products. The United Kingdom, in turn, has a guidance on the use of “natural” in food labeling that says that the term “natural” means that, “*the product is comprised of natural ingredients, e.g. ingredients produced by nature, not the work of man or interfered with by man*”. Furthermore, the guidance says that, “*It is misleading to use the term to describe foods or ingredients that employ chemicals to change their composition or comprise the products of new technologies, including additives and flavourings that are the product of the chemical industry or extracted by chemical processes.*”

Canada has restrictions on the use of “natural”: “*A food or ingredient of a food that is represented as natural is expected:*

- *not to contain, or to ever have contained, an added vitamin, mineral nutrient, artificial flavouring agent or food additive.*
- *not to have any constituent or fraction thereof removed or significantly changed, except the removal of water. For example: the removal of caffeine.*
- *not to have been submitted to processes that have significantly altered their original physical, chemical or biological state (i.e. maximum processes).*”<sup>10</sup>

Because of the difficulty of dealing with a term not defined by the FDA and the opportunities for litigation that this represents, companies have been abandoning its use. According to a 2013 article in The Wall Street Journal: “*A growing number of food and drink companies are quietly removing “all natural” claims from packages amid lawsuits challenging the “naturalness” of everything*”.<sup>9</sup> This includes not only food packaging but also marketing.

Defining “natural” and “all-natural” for labeling of foods and beverages will continue to be controversial. Some people suggest banning the term altogether; others support the idea of a super-organic connotation, given that the USDA’s rules on organic foods have allowed the use of synthetic substances in products labeled as organic. As the FDA mentioned, “*From a food science perspective, it is difficult to define a food product that is ‘natural’ because the food has*

*probably been processed and is no longer the product of the earth.*” We agree with the logic that to consider whether a food is natural or not, one must look at, “*the source of the food and the process used to manufacture it*”.<sup>1</sup> It is necessary to finally define and regulate the term “natural” in food labeling; the American consumers and industry deserve it.

## References

1. Time Ideas. 2017. It’s Time for the FDA to Define ‘Natural’. [Available: <http://time.com/4317988/fda-natural-definition/>]. Accessed 1/24/2018.
2. Wikipedia. Undated. Natural Foods. [Available: [https://en.wikipedia.org/wiki/Natural\\_foods](https://en.wikipedia.org/wiki/Natural_foods)]. Accessed 1/25/2018.
3. FDA. 2015. “Natural” on Food Labeling - The FDA Requests Comments on Use of the Term “Natural” on Food Labeling. U.S. Food and Drug Administration, Silver Spring, MD. [Available:]. Accessed 1/29/2018.
4. USDA/FSIS. Undated. Meat and Poultry Labeling Terms. U.S. Department of Agriculture/Food Safety and Inspection Service, Washington, DC. [Available: [https://www.fsis.usda.gov/wps/wcm/connect/e2853601-3edb-45d3-90dc-1bef17b7f277/Meat\\_and\\_Poultry\\_Labeling\\_Terms.pdf?MOD=AJPERES](https://www.fsis.usda.gov/wps/wcm/connect/e2853601-3edb-45d3-90dc-1bef17b7f277/Meat_and_Poultry_Labeling_Terms.pdf?MOD=AJPERES)]. Accessed 1/29/2018.
5. 21CFR.501.22 – SUBCHAPTER E – ANIMAL DRUGS, FEEDS, AND RELATED PRODUCTS. PART 501 – ANIMAL FOOD LABELING. [Available: <https://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfcfr/cfrsearch.cfm?fr=501.22>]. Accessed 2/1/2018.
6. EU. 2009. European Union. DIRECTIVE 2009/54/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 18 June 2009 on the exploitation and marketing of natural mineral waters. [Available: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:164:0045:0058:EN:PDF>]. Accessed 2/1/2018.
7. Eu. 2008. REGULATION (EC) No 1334/2008 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Council Regulation (EEC) No 1601/91, Regulations (EC) No 2232/96 and (EC) No 110/2008 and Directive 2000/13/EC. [Available: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:354:0034:0050:en:PDF>]. Accessed 2/1/2018.

8. The Wall Street Journal. 2013. Some Food Companies Ditch “Natural” Label. [Available: <https://www.wsj.com/articles/the-8216natural8217-evolution-of-food-labels-1383684092?tesla=y>]. Accessed: 2/1/2018.
9. FSA. 2008. Criteria for the Use of the Terms Fresh, Pure, Natural etc. in Food Labelling. Food Standards Agency. [Available: <https://www.food.gov.uk/sites/default/files/multimedia/pdfs/markcritguidance.pdf>]. Accessed 2/1/2018.
10. CFIA. 2018. Method of Production Claims - Nature, Natural (part of the Guidance Document Repository (GDR). Canadian Food Inspection Agency. [Available: <http://www.inspection.gc.ca/food/labelling/food-labelling-for-industry/method-of-production-claims/eng/1389379565794/1389380926083?chap=2>]. Accessed 2/2/2018.