



June 10, 2024

The Honorable Xavier Becerra  
Secretary of Health and Human Services  
U.S. Department of Health and Human Services

The Honorable Thomas J. Vilsack  
Secretary of Agriculture  
U.S. Department of Agriculture

Dear Secretary Becerra and Secretary Vilsack,

We are writing to address the important responsibility of the U.S. Departments of Health and Human Services (HHS) and Agriculture (USDA) in developing the 2025-2030 Dietary Guidelines for Americans (DGAs). As members of the beverage alcohol sector, representing distillers, vintners, brewers, distributors, and retailers of beer, wine, and spirits, we want to ensure that the next iteration of the U.S. DGAs is developed in a manner that is transparent, fair, and free from bias, and solely based on the preponderance of scientific and medical knowledge, as required by the law.<sup>1</sup>

The DGAs are a key resource for U.S. adults and healthcare professionals in making informed, responsible decisions when it comes to alcohol. More than half of adults in the U.S. consume alcohol, and the DGA guidance helps Americans understand whether and how alcohol can fit into their dietary patterns. Since the first edition of the DGAs in 1980—and every iteration since—the U.S. government has advised adults who choose to consume alcohol to do so in moderation. The DGAs also include guidance for those who should not drink alcohol at all (such

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<sup>1</sup> 7 U.S. Code § 5341, Establishment of Dietary Guidelines (“The information and guidelines contained in each report required under paragraph (1) shall be based on the preponderance of the scientific and medical knowledge which is current at the time the report is prepared.”); *See also*, Pub. L 118-42, Consolidated Appropriations 2024 (“... both Secretaries shall ensure that the alcohol consumption recommendations in the 2025 Dietary Guidelines for Americans shall be based on the preponderance of scientific and medical knowledge consistent with section 5341 of title 7 of United States Code.”).

as those who are pregnant or under the legal drinking age). In April 2022, for the first time in the history of the DGAs, it was announced that the alcohol research review would be conducted “*through efforts separate from the 2025 Dietary Guidelines Advisory Committee [DGAC].*”<sup>2</sup>

Additionally, in what appears to be a wholly unprecedented move, it was announced that the topic of adult alcohol use would be subject to two concurrent reviews. The first of these reviews, which would be conducted by a panel convened by the National Academies of Sciences, Engineering, and Medicine (NASEM), was Congressionally mandated and funded in the Consolidated Appropriations Act, 2023; Sec. 772. There is a long history of NASEM panels being asked to produce inputs for the DGAs (e.g., reports on Dietary Reference Intakes). The second review would be overseen by the Substance Abuse and Mental Health Services Administration (SAMHSA). More than a year after the announcement that alcohol would be reviewed outside of the normal DGA process, it was learned that the second review would be led by an existing interagency committee at SAMHSA – the Interagency Coordinating Committee for the Prevention of Underage Drinking (ICCPUD), which was established by the Sober Truth on Preventing Underage Drinking Act (STOP Act) with a mission to “*provide resources and information on underage drinking prevention, intervention, treatment, enforcement, and research.*”

While HHS and USDA have confirmed that alcohol recommendations will be included in the 2025-2030 DGAs, it is unclear what this multi-layered process for developing those recommendations will entail.

We appreciate that some of this process has been conducted transparently and in alignment with scientific best practices. For example, the NASEM work is being conducted by experts who were publicly nominated and vetted, with a defined scope of research, and with ongoing opportunities for public comment and stakeholder participation in meetings. The topics being reviewed by this committee were defined in the 2023 Consolidated Appropriations Act – specifically, the eight questions previously identified and refined based on public comment for the 2020-2025 DGAs.

In contrast, nothing was known about the SAMHSA work until late January 2024, when a representative of SAMHSA provided a high-level overview of the ICCPUD study during a NASEM committee meeting. This late January overview included a flowchart and timeline that indicated the work would be conducted by a panel of non-federal experts and overseen by a subcommittee of ICCPUD and that the findings of the work would be added to ICCPUD’s 2025 Annual Report to Congress, to be completed in 2026 – after the planned publication of the DGAs in late 2025. It was also revealed that the ICCPUD group had begun meeting a year earlier, in spring 2023, despite HHS and USDA officials and the DGA website stating that the work had not yet begun. No details regarding who would be involved with the review or what the review would entail were shared.

It was not until after a Congressional inquiry in April 2024 when further information was disclosed about the SAMHSA work; this was posted on the ICCPUD website. The new ICCPUD study webpage gave a partial glimpse at the plans to provide alcohol guidance for the 2025-2030

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<sup>2</sup> U.S. Departments of Health and Human Services & Agriculture. (2024). Related Projects: Alcohol Beverages and Health. Retrieved June 7, 2024 available at <https://www.dietaryguidelines.gov/related-projects#uswds-text-2587>.

DGAs and ICCPUD’s plan to address adult alcohol intake on an ongoing basis, beyond the development of the DGAs. The webpage also included a list of the federal agencies that will participate in the Technical Review Subcommittee under ICCPUD.

Further, it was revealed that the Subcommittee would oversee a “Scientific Review Panel,” comprised of six external scientists, that would be conducting original scientific research (which is not typical protocol for the DGAs), in addition to reviewing existing science. Unlike the NASEM Panel and DGAC, no information was provided regarding the selection of the Scientific Review Panel and appointment of these individuals, nor was there a public nomination or comment period. Minimal information was provided about their credentials and potential conflicts of interest. One of the individuals, Dr. Naimi, led the alcohol review for the 2020-2025 DGAs and completed only one of the eight questions the DGAC was tasked with. Dr. Naimi proposed changing existing DGA recommendations; however, this recommendation was not based on the evidence review that had been completed, and, ultimately, HHS and USDA rejected the recommendation because it failed to demonstrate a preponderance of evidence to substantiate changes. Further, half of the appointees on ICCPUD’s Scientific Review Panel are based in Canada, and two were part of the research team that proposed changing Canada’s Low-Risk Drinking Guidelines. These recommendations were criticized as not being supported by the consensus of scientific evidence, rather were based on a mere 16 studies largely authored by the same individuals drafting the recommendations. The Canadian Health Ministry has not adopted these recommendations.

We urge HHS and USDA to ensure an alcohol review process that includes stakeholder input and public comment opportunities and that is transparent, deliberative, science-driven, and results in guidance grounded in the preponderance of scientific and medical knowledge as required by law. Without the discipline and rigor of a fair and transparent process that prioritizes sound science over biased agendas, we are concerned that the ultimate guidance will fall short of the preponderance of the scientific evidence standards long held by the DGAs. Americans deserve guidance based on sound science, not ideology, that is developed and communicated in a clear, meaningful way, to ensure Americans understand and implement it.

On behalf of U.S. producers, distributors, and retailers of beer, wine, and spirits, we thank you both for your consideration and attention to this important matter.

Respectfully submitted,



John Bodnovich  
Executive Director  
American Beverage Licensees



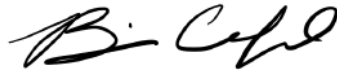
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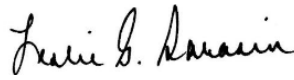
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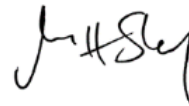
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