

Part F. Appendix F-2: Public Comments

Introduction

As a federal government advisory committee, the Dietary Guidelines Advisory Committee (Committee) operates under the Federal Advisory Committee Act (FACA), a law that emphasizes public participation and requires open access to meetings and operations. To engage the public and ensure input, the U.S. Departments of Health and Human Services (HHS) and Agriculture (USDA) solicited public comments throughout the 2025 Dietary Guidelines Advisory Committee process. A *Federal Register* notice published on January 19, 2023, opened the public comment period, which remained open through October 7, 2024. During this time, the public was invited to submit written comments via Regulations.gov, at Docket HHS-OASH-2022-0021-0001 (www.regulations.gov/docket/HHS-OASH-2022-0021/document). In addition, oral testimony to the Committee was accepted at its third meeting on September 12, 2023. Per FACA, all meetings of the Committee were open to the public; the meetings were made accessible by webcast. *Federal Register* notices alerted the public to the Committee's meetings, and in these notices, the public was invited and reminded to submit comments via Regulations.gov. In addition, the Departments updated the DietaryGuidelines.gov website, sent GovDelivery notices via email, and posted social media messages on a steady basis to notify the public of opportunities to engage throughout the Committee's work.

Comments submitted to the Committee covered a wide array of topics. The majority addressed topics under review by the Committee, including dairy consumption, ultra-processed foods, plant-based diets, and health equity, particularly with an emphasis on cultural diets and helping all people in the United States achieve a dietary pattern that supports a healthy and active lifestyle. Public input came from a diverse group of commenters, including industry groups, community practitioners, academia, and private citizens. A total of 9,942 comments were received from January 19, 2023, through October 7, 2024, which includes 3 submitted by postal mail and uploaded to the Federal Docket Management System (FDMS). Of these comments, a total of 9,886 were posted. Fifty-six comments were identified as duplicative, not germane, or otherwise violating commenting guidelines, and were not posted.

Following the submission of the Scientific Report of the 2025 Dietary Guidelines Advisory Committee to the Secretaries of HHS and USDA, the federal government alerted the public of its availability through a *Federal Register* notice. This notice also announced a public comment period where the public could provide comments to the federal government about the report.

Process

Comments were accepted electronically through Regulations.gov and by paper submissions through the postal mail. Comments were processed using FDMS, a centralized Docket Management system that provides the ability to search, view, download, and submit comments on federal notices and rules. Media and mail campaigns resulted in duplicate comments from individuals and organizations, and these are

referred to as form letters. FDMS enabled comment de-duplication based on the detection of similarities and differences among comments within each campaign.

Information required from the public comment submitter included the text of the comment (up to 5,000 characters), attachments, if any, and first and last names. Additional information, though not required, could be provided and would be viewable on Regulations.gov, including the submitter's city, state, and country, and organization type and name, if applicable. Street address, zip code, e-mail address, and telephone and fax numbers also could be provided, but would not be viewable on Regulations.gov except if included in attachments.

All comment submissions were reviewed by a third-party consultant (ICF International, Inc.) and after being posted were viewable on Regulations.gov. The content of public comments was not edited, but in some cases, certain types of personally identifiable information, such as an individual's street address or email address, were redacted. Several comments were withdrawn after notice was given to staff by the commenter that an incomplete comment had been submitted in error. Comments that contained vulgar language or inappropriate comments were not posted.

ICF summarized each submitted comment. Committee members were regularly sent comment summaries organized by topic area. The summary included the commenter's name and/or affiliation, the comment number, and the hyperlink to the comment on Regulations.gov. Additionally, Committee members were given instructions for searching and reading the full comments on Regulations.gov. When requested, federal staff also provided Committee members with copies of original public comment submissions and any corresponding attachments. Public comments were discussed and considered by the Committee at Subcommittee and full Committee meetings.

Written Comments to the Advisory Committee

Written public comments to the Committee were continuously submitted from January 19, 2023, through October 7, 2024. Collection was announced in Federal Register Notice 88 FR 3423, published on January 19, 2023, and comments were collected in Docket HHS-OASH-2022-0021-0001. All comments will remain on Regulations.gov and can be accessed and read at any future time by searching for the Docket number noted above.

For each question, a specific protocol, or plan, was developed to describe how the Committee would apply a methodology, such as the Nutrition Evidence Systematic Review (NESR) methodology, to answer the scientific question. During the second, third, fourth, and fifth Committee meetings, the Chair asked the public to provide comments on the protocols specifically discussed at those meetings. Staff compiled all comments on the protocols and provided them to Committee members, along with directions on accessing and reading comments on Regulations.gov.

Oral Comments to the Advisory Committee

The opportunity to provide oral comments in person at a full Committee meeting was announced in the Federal Register Notice 88 FR 46170, published on July 19, 2023. Commenters were given the option to

either submit a pre-recorded video comment to be played to the Committee or to present their comments live via webinar on September 12, 2023. A total of 82 people provided virtual oral comments on September 12, 2023—56 submitted pre-recorded videos that were presented to the Committee, and 26 provided comments live via webinar. One hundred people were on the list to provide oral comments (including 80 confirmed and 20 standby commenters). One confirmed speaker did not attend; 3 speakers from the standby list provided comments.

Registration to provide oral comments was completed online and registrants were accepted on a first come, first served basis. Registration was further limited to 1 person per organization. Individuals submitted a brief outline of their oral comments upon registering and were allowed up to 2 minutes to deliver their comments to the Committee. Some individuals also submitted written copies of their oral comments through Regulations.gov.

Additional Comment Collections

In addition to soliciting public comments throughout the period of the Committee's work, HHS and USDA asked for public comments at 2 other times. Before the Committee was established, HHS and USDA asked for public comments on the proposed topics and questions to be examined by the Committee. These topics and questions remain available at DietaryGuidelines.gov.

Comments were accepted April 15, 2022, through May 16, 2022; a total of 1,443 public comments were received. Of those, 674 were unique submissions, and 747 submissions comprising 4 distinct form letter campaigns were identified. The remaining 22 comments were identified as duplicative or not germane.

The public also was asked to submit nominations of individuals to serve on the Committee. Nominations, including self-nominations, were collected from June 15, 2022, through July 15, 2022 (see **Part C. Methodology** for additional details on the process to identify scientific questions and appoint the Committee).

A final round of public comments directed to HHS and USDA on the Committee's Scientific Report was received in Docket HHS-OASH-2024-0017 on Regulations.gov following the Committee's submission of its report to the Secretaries of HHS and USDA. The Committee's report is publicly available on DietaryGuidelines.gov. This round of public comments encompassed written comments on the Committee's report, as well as an opportunity to provide pre-recorded or live oral comments via webinar to the Departments at a virtual meeting on January 16, 2025.

Summary

The oral and written comments provided by the public were valuable in that they helped the Committee gather background information and understand public and professional perceptions on diet and health topics included in its review of the evidence. Comments from the public brought new issues to light as well as new approaches to examining current issues and emerging evidence. They also highlighted and

ensured consideration of topics deemed to be important by the submitters, who represented a variety of backgrounds and focus areas.

For 22 months, HHS and USDA sought written and oral public comments throughout the Committee's deliberations. The Committee reviewed the comments and greatly appreciated the time, effort, and thought that individuals and organizations put into their submissions. Public involvement is critical to making the *Dietary Guidelines* development process open and transparent.