CENTER FOR Science IN THE Public Interest
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Fruit Fiction:
Addressing Misleading Claims on Sugary "Fruit Drinks"

"Fruit drinks" are fruit-flavored drinks that are not 100% fruit juice. They are marketed with similar branding as 100% juice but typically contain added sugars and/or low-calorie sweeteners. Here's why the Center for Science in the Public Interest is calling on federal authorities to address misleading marketing claims on the labels of "fruit drinks."

Fruit drinks with added sugars pose a risk to public health.

Most fruit drinks are sweetened with added sugars.[1] For example, an 8-ounce serving of Sunny D contains 12 grams of added sugars[2] (nearly half the 25-gram Daily Value for children aged 1 to 3 years).[3] Sugar-sweetened beverages are the leading source of added sugars in the U.S. diet[4] and are linked to weight gain, and increased risk of heart disease, type 2 diabetes, and cavities.[5]

Americans of all ages exceed recommended limits on added sugars consumption, including young children age 0-5, for whom fruit drinks are the most commonly consumed SSBs.[6] The 2020-2025 Dietary Guidelines for Americans recommend limiting consumption of drinks with added sugars, and state that children under age 2 should avoid foods and drinks with added sugars entirely.[7]

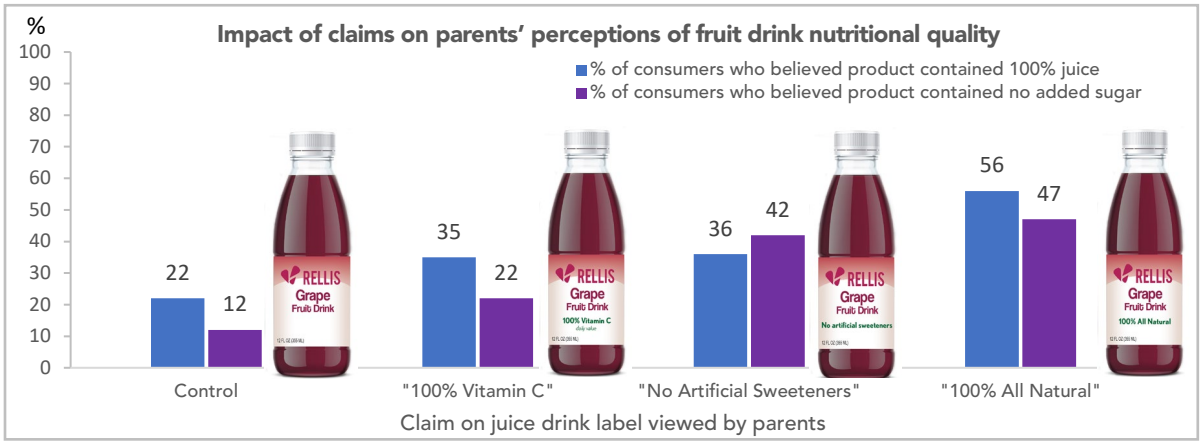
Fruit drink labels commonly make misleading claims that exaggerate nutrition or health benefits.

A study of more than 2,000 fruit drinks purchased by U.S. households in 2017 found that many of these products were marketed with claims touting their fruit or juice content, even when they contained very little real fruit juice.[8] Only 23% of fruit drinks in the study listed juice as the first (most common) or second ingredient, but 54% had juice, nectar, or fruit claims on the front of package.[9]

In addition, 33% of fruit drinks had front-of-package claims regarding the presence or amount of vitamin C, 29% had at least one claim describing the presence or amount of any nutrient, 7% used the term "natural," and 5% stated "No artificial sweeteners." Such claims make the products appear healthy, yet the drinks with juice/nectar, fruit/fruit flavor, vitamin C, and natural claims were, on average, significantly higher in calories (by 6-25 kcal/100mL) and total sugars (by 2-5 g/100mL) compared with fruit drinks lacking those claims.

Misleading claims on fruit drink labels can influence consumer beliefs and purchasing behavior.

In an online experiment with 2,218 parents of children ages 1-5 years old conducted in 2020, parents asked to select either a fruit drink or 100% juice for their child were more likely to select the fruit drink when the label stated "No artificial sweeteners," "100% Vitamin C," or "100% All Natural," compared to a control fruit drink with no claim.[10] A significantly higher percentage of parents who viewed fruit drinks with these claims believed that the drinks were 100% fruit juice or contained no added sugar compared to parents who viewed the control.[11]

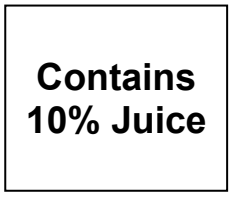


The U.S. Food and Drug Administration should take action to address misleading claims.

The FDA has broad authority to combat deceptive labeling and promote public health. The following three types of labeling policies could help address misleading fruit drink claims.

1. Require that fruit drink labels state up front how much (or little) juice is in the product.

Fruit drinks are already required to declare the % juice near their Nutrition Facts labels,[12] but less than half of consumers report regular use of the Nutrition Facts label when deciding whether to buy a food product and presumably even fewer notice the % juice declaration.[13] Prominent front-of-package "% juice" declarations on fruit drink labels could prevent consumers from being misled to believe that fruit drinks are 100% fruit juice or contain no added sugars. Products making fruit/juice claims should be required to state "Contains no servings of fruit juice" if juice content is below some minimum level.



2. Require that fruit drink labels alert consumers to their high levels of added sugars.

Warning statements such as "High in added sugars" on fruit drink products that exceed a certain threshold of grams per serving could help alert consumers and prompt manufacturers to reformulate their products. An evaluation of the adoption of "high in" warning labels in Chile found that purchases of high-in-sugar beverages declined by 14 calories per capita per day ($p<0.0001$), or 29%, following implementation of the labels.[14] Another evaluation from Chile found significant product reformulation, with a decrease in the proportion of beverages requiring a "high in" sugars label from 26% to 11% of beverages.[15]

3. Establish terms of use for certain types of claims commonly made on fruit drinks.

FDA has already set disqualifying levels of fat, cholesterol, and sodium above which foods are not permitted to make health claims.[16] The agency could take similar actions for added sugars in beverages making nutrient-content claims, such as "100% Vitamin C" claims. Such action is warranted in light of findings that vitamin C claims increase perceived product healthfulness and are more commonly found on products higher in total sugar.[17]

For more information, please contact the Center for Science in the Public Interest at policy@cspinet.org.

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[3] U.S. Food and Drug Administration. Frequently asked questions for industry on Nutrition Facts labeling requirements. https://www.fda.gov/media/99059/download.
[4] U.S. Department of Agriculture (USDA) and U.S. Department of Health and Human Services (USHHS). Dietary Guidelines for Americans, 2020-2025. 2020. https://www.dietaryguidelines.gov/sites/default/files/2020-12/Dietary_Guidelines_for_Americans_2020-2025.pdf.
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Note: Even 100% fruit juices can contribute to inappropriate weight gain, which has led the American Academy of Pediatrics to recommend limits on consumption (4 oz. of juice a day for toddlers aged 1 to 3, 4-6 oz. a day for children aged 4 to 6, and 8 oz. a day for children aged 7 to 18). Heyman MB, Abrams SA. Fruit juice in infants, children, and adolescents: current recommendations. *Pediatrics.* 2017;139(6):e20170967.
[7] USDA & USHHS (2020).
[8] Duffy (2021).
[9] Duffy (2021).
[10] Hall MG, et al. Nutrition-related claims lead parents to choose less healthy drinks for young children: a randomized trial in a virtual convenience store. Unpublished data collected in 2020. Under review at *Am J Clin Nutr.*
[11] Hall MG, et al (unpublished, 2020).
[12] 21 C.F.R. § 101.30 (2020).
[13] An R. Diabetes diagnosis and nutrition facts label use among US adults, 2005-2010. *Public Health Nutrition.* 2015;19(12):2149-2156.
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[15] Reyes M, et al. Changes in the amount of nutrient of packaged foods and beverages after the initial implementation of the Chilean Law of Food Labelling and Advertising: a nonexperimental prospective study. *PLOS Medicine.* 2020;17(7):e1003220.
[16] 21 C.F.R. § 101.14(a)(4).
[17] Hall MG, et al. The impact of front-of-package claims, fruit images, and health warnings on consumers' perceptions of sugar-sweetened fruit drinks: Three randomized experiments. *Prev Med.* 2020;132:105998.; Duffy (2021).