

Health Claims, Food Marketing, and Consumer Protection

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Introduction

Food packages and advertisements use words, images, colors, and health-related statements to influence consumer choice. The original essay correctly recognizes that claims should be truthful and not misleading and uses Nesquik's former "great start to the day" wording as an example of marketing that could create a broader health impression than the product's nutrition profile supports. Several concepts need correction. "Low fat," "no added sugar," and "cholesterol free" are nutrient-content claims rather than all being formal health claims. Plant oils naturally contain no dietary cholesterol, so a cholesterol-free statement on vegetable oil can be literally accurate, though it may be unhelpful if it distracts from calories, saturated fat, serving size, or the total dietary pattern. Consumers need to distinguish regulated claim categories and evaluate the entire label rather than accept or reject a product based on one phrase.

What Is a Health Claim?

Under U.S. food-labeling law, a health claim describes a relationship between a food or substance and a reduced risk of a disease or health-related condition. An example would connect adequate calcium with reduced osteoporosis risk. A claim must contain both the substance and the disease relationship. Health claims do not lawfully state that a conventional food diagnoses, treats, cures, or prevents disease in the way a drug does. FDA-authorized or qualified claims are subject to defined evidentiary and wording requirements.

Nutrient-Content Claims

Nutrient-content claims describe the level of a nutrient using terms such as "low," "free," "reduced," "high," or "good source." The definitions are regulated so that a term has consistent meaning per serving. "Low fat" does not mean that the product is low in sugar, sodium, calories, or refined starch. "Sugar free" and "no added sugar" are also different. A product may have no added sugar while containing naturally occurring sugars from milk or fruit. The Nutrition Facts label supplies the quantities needed to interpret the front-of-package claim.

Structure/Function Claims

Structure/function claims describe how a nutrient or ingredient supports the normal structure or function of the body, such as calcium helping build strong bones or fiber supporting regularity. For conventional foods and dietary supplements, the regulatory pathways differ. A dietary supplement cannot lawfully claim to cure a disease merely by placing a disclaimer on the label. The wording, context, product category, and evidence determine whether a claim crosses into an unlawful disease claim. (U.S. Food and Drug Administration, 2025)

Dietary Guidance Statements

Some statements describe broad dietary patterns rather than a specific substance-disease relationship. Advice to eat more vegetables or choose whole grains can be truthful dietary guidance without becoming an authorized health claim. Marketers can still create a misleading overall impression if they attach general guidance to a product in a way that suggests benefits unsupported by its composition. Regulators evaluate express claims and reasonable implied messages.

Labeling and Advertising

FDA primarily regulates labeling, including information on the package and materials accompanying a product. The Federal Trade Commission regulates advertising in media such as television, online promotions, influencer content, and other marketing. Their standards overlap: claims must be truthful, nonmisleading, and supported. An advertiser cannot avoid responsibility by using technically accurate words if the overall presentation creates a materially false impression. (Federal Trade Commission, 2022, 2026)

Scientific Substantiation

Objective health claims require competent and reliable scientific evidence. The appropriate evidence depends on the claim, but health and safety messages generally require rigorous support from qualified research. One small study, animal experiment, testimonial, or association may not justify a broad causal promise. Evidence should match the product, dose, population, outcome, and wording. A claim that an ingredient affects a laboratory marker is not automatically proof that the finished food prevents disease.

Authorized and Qualified Health Claims

Authorized health claims meet a significant scientific agreement standard or another statutory pathway. Qualified health claims are permitted with carefully worded qualifications when evidence is supportive but does not reach the standard for an unqualified claim. The qualification must be clear enough for consumers to understand uncertainty. Fine print cannot repair a bold headline that communicates certainty. Companies should not use tentative research to imply guaranteed protection.

The “Healthy” Claim

FDA updated the criteria for the voluntary “healthy” nutrient-content claim to align more closely with contemporary nutrition science and dietary guidance. A product must contain a meaningful amount of a recommended food group or subgroup and meet limits for added sugars, saturated fat, and sodium that vary by product category. The updated approach focuses on dietary patterns and food groups rather than total fat alone. A product that cannot use the regulated word may still fit a healthy diet, while qualifying products still need sensible portions and context. (U.S. Food and Drug Administration, 2026)

“Natural”

The term “natural” does not have a comprehensive formal FDA definition covering every production method or health implication. FDA has generally considered the term in relation to added colors, artificial flavors, or synthetic substances, while acknowledging broader questions. Consumers may interpret “natural” as healthier, environmentally superior, minimally processed, or free from pesticides, none of which necessarily follows. The claim should be evaluated according to what it actually communicates in context.

“Organic”

Organic labeling is governed by certification standards concerning agricultural production and handling. Organic does not mean calorie-free, sugar-free, pesticide-free in an absolute sense, or nutritionally superior in every respect. It describes compliance with a production system. Consumers may choose organic for environmental, animal-welfare, or farming reasons, but the Nutrition Facts panel remains necessary for dietary evaluation.

“No Added Sugar”

A no-added-sugar product contains no sugar or sugar-containing ingredient added during processing under the applicable rules. It may still contain substantial naturally occurring sugar, as in milk or fruit juice. It may also be concentrated in calories or use nonnutritive sweeteners. Parents should compare total and added sugars per serving rather than interpret the phrase as permission for unlimited consumption. The claim can be useful when read correctly.

“Low Fat”

Low-fat products became heavily marketed during periods when dietary advice emphasized reducing fat. Manufacturers sometimes increased sugar or refined starch to maintain taste. Current nutrition guidance distinguishes types of fat and considers the whole dietary pattern. Nuts, seeds, avocado, and some oils contain fat while providing nutritional value. A low-fat cookie does not become a vegetable. The claim answers one question about the product, not every health question.

“Cholesterol Free”

Dietary cholesterol is found in animal-derived foods, not in ordinary plant oils. A bottle of vegetable oil can therefore be cholesterol free without deception. The claim may still be nutritionally superficial because all oils are energy dense, and some contain more saturated fat than others. Hydrogenation or repeated high-temperature use creates separate concerns. Consumers should examine saturated fat, type of oil, portion, and cooking use. The original statement that no oil exists without cholesterol confuses dietary cholesterol with fat generally.

Serving Size

Claims and Nutrition Facts are stated per serving, but people may consume more or less. A small serving can make sugar, sodium, or calories appear modest. The listed serving size is intended to reflect customary consumption, not necessarily the amount recommended for health. Consumers should compare the stated serving with the amount actually eaten. Packages containing multiple servings may be consumed in one sitting, making the totals important.

Percent Daily Value

Percent Daily Value helps show whether a serving is relatively low or high in a nutrient within a general daily diet. It is a reference tool, not an individualized prescription. Needs differ by age, pregnancy, disease, activity, and medical advice. The percentage can help compare products,

particularly for saturated fat, sodium, fiber, and added sugars. It should be read together with absolute amounts and serving size.

The Ingredient List

Ingredients are generally listed by weight in descending order. The list can reveal added sweeteners, oils, allergens, fortification, and the product's composition. Several names for sugar may appear, but consumers should avoid assuming that an unfamiliar chemical-sounding name is automatically harmful. Water and vitamins also have chemical names. The relevant questions are amount, function, evidence, dose, and total product pattern.

Nesquik and the “Great Start” Message

The Nesquik example involved a broad advertising statement suggesting that chocolate drink powder provided “a great start to the day.” British advertising authorities found the presentation problematic in its context, and the company agreed to stop using the wording in the United Kingdom. The concern was not that chocolate can never be consumed at breakfast. It was that the message could encourage an overall health interpretation for a sweetened product, particularly when associated with children and family routines.

Milk Sugar and Added Sugar

Prepared chocolate milk contains lactose naturally present in milk and may also contain added sugar from powder or syrup. The statement that “most sugar comes from lactose” can be evaluated only with the specific product, preparation instructions, serving, and label. Naturally occurring sugar is chemically relevant and contributes calories, though added sugars are a distinct dietary concern. Fortification with vitamins or minerals does not cancel the added-sugar content.

Fortification

Foods may be fortified with vitamins and minerals to restore nutrients or improve intake. Fortification can provide real benefit. It can also create a “health halo” when marketers emphasize a few added micronutrients in a product high in sugar or sodium. Consumers should ask whether the food contributes to the diet overall and whether the nutrient can be obtained through other foods. More vitamins do not make unlimited portions appropriate.

Marketing to Children

Children have limited capacity to recognize persuasive intent, compare evidence, and understand long-term health risk. Characters, games, bright packages, sports themes, and family messages can influence preferences. Parents make many purchasing decisions, but children influence requests and consumption. Responsible marketing should not exploit developmental vulnerability or imply that a sugary product is necessary for energy, intelligence, athletic success, or parental care without adequate support.

Energy and Activity Claims

Calories provide energy in the metabolic sense, but an advertisement suggesting that a food makes children active can communicate more than caloric content. Activity depends on sleep, health, physical fitness, environment, and many other factors. A sugar increase may produce short-term metabolic effects but does not establish superior school or sports performance. Claims should match evidence and avoid equating sweetness with vitality.

Sugar and Chronic Disease

High intake of added sugars, particularly from sugary drinks, can contribute to excess calorie intake, dental caries, and unhealthy dietary patterns and is associated with risks relevant to obesity and type 2 diabetes. One serving does not directly cause a chronic disease. Risk depends on repeated intake, overall diet, activity, genetics, and other factors. Accurate education avoids both denial and exaggerated claims that one breakfast drink inevitably makes a child ill.

Consumer Research

The original conclusion recommends researching every product. Consumers cannot reasonably conduct a scientific review for every grocery purchase. Labels, trusted public guidance, and straightforward comparison tools should make informed choice possible. People can examine serving size, added sugar, saturated fat, sodium, fiber, allergens, and ingredients without becoming nutrition scientists. Regulators and companies bear responsibility for clear and truthful information.

Testimonials and Influencers

A personal story does not prove that a food produces the same health effect in others. Influencers must disclose material relationships, and advertisers remain responsible for claims communicated through endorsers. Before-and-after images, dramatic anecdotes, and “doctor recommended”

language can imply scientific proof. Consumers should look for evidence and disclosure. A paid partnership does not automatically make a claim false, but concealment can make the promotion deceptive.

Front-of-Package Design

Colors, symbols, pastoral images, and words such as “wholesome” can create a health impression even when no formal claim appears. A green package does not establish environmental benefit, and images of fruit do not prove significant fruit content. Regulators evaluate the overall reasonable impression, not isolated wording only. Companies should design labels to clarify rather than exploit predictable misunderstanding.

Claims and Supplements

Dietary supplements use structure/function and general-wellbeing claims under a framework that differs from conventional foods and drugs. A disclaimer that FDA has not evaluated a statement does not mean the claim can be false. Supplements can interact with medication, vary in evidence, and cause harm at high doses. Consumers should discuss products with a qualified clinician when pregnant, managing illness, or taking medication.

Food Labels and Equity

Reading labels requires time, literacy, language access, and availability of alternatives. A person living in a food desert or shopping under severe budget constraints may understand a label but lack a different option. Consumer education is valuable, but policy also needs affordable healthy food, school meals, clean water, fair marketing, and accessible healthcare. Responsibility should not be placed entirely on individual shoppers.

Evaluating a Claim

A practical process begins by identifying the claim category. What exactly is promised? Is it a nutrient level, disease-risk relationship, normal body function, or vague lifestyle impression? Next, compare the serving and Nutrition Facts, read ingredients, identify qualification or disclaimer, and consider the overall diet. For an unusual health promise, check FDA, FTC, or another credible health authority. Avoid relying on the seller’s isolated study or an anonymous article repeating a press release.

Role of Regulators

FDA sets labeling rules and may act against misbranded products, while FTC addresses deceptive advertising. State authorities and private litigation may also be involved. Enforcement resources are limited, and the market changes rapidly. Companies should not treat the possibility of delayed enforcement as permission to exaggerate. Industry self-regulation can supplement public law but is not a substitute for independent oversight.

Role of Manufacturers

Manufacturers should substantiate claims before dissemination, test how reasonable consumers interpret messages, use readable qualifications, and update labels as evidence changes. Reformulation can be more valuable than designing a stronger health halo. Responsible companies recognize that trust is a long-term asset. A technically defensible phrase that predictably misleads families can still damage reputation and public health.

Conclusion

Food claims can help consumers, but only when categories and meanings are clear. Health claims connect a substance with reduced disease risk; nutrient-content claims describe levels such as low, free, or high; and structure/function claims describe normal bodily roles. Nesquik's former "great start" message illustrates how a broad lifestyle claim can create a questionable health impression even when the label mentions real nutrients. "No added sugar," "low fat," "natural," and "cholesterol free" should not be interpreted as complete judgments. Plant oils can accurately be cholesterol free, while still requiring attention to fat type and serving. Consumers need the full label, and regulators and manufacturers must ensure that the overall message is truthful, evidence-based, and not misleading.

References

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