



National Association of State Departments of Agriculture

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April 27, 2026

The Honorable Rick Scott
United States Senate
Washington, D.C. 20510

The Honorable Richard Blumenthal
United States Senate
Washington, D.C. 20510

Dear Senator Scott and Senator Blumenthal:

The National Association of State Departments of Agriculture supports S. 2541, the Food Date Labeling Act of 2025. Thank you for your leadership in introducing a bipartisan bill to standardize voluntary food date labeling.

NASDA represents the elected and appointed commissioners, secretaries, and directors of agriculture in all 50 states and four U.S. territories. Our members oversee food safety programs, collaborate across government levels, and connect local and regional food systems at the intersection of agriculture, nutrition, and public health.

In the United States, more than 30 percent of food goes unsold or uneaten, and confusion over date labels alone leads to an estimated 4.3 million tons of food waste annually, costing American households and businesses more than \$22 billion each year. Households remain a primary source of food waste, often driven in part by confusion over date labels such as “sell by” and “use by.” More than \$338 billion is spent annually across the U.S. food system on food that is never eaten.

Food date labels typically include a calendar date and phrases such as “sell by,” “use by,” or “best by.” While these labels are intended to communicate product quality—not safety—consumer confusion remains widespread. With the exception of infant formula, date labeling is not required under federal law, contributing to inconsistent practices across the marketplace.

NASDA strongly supports this bipartisan legislation alongside a broad coalition of food industry organizations. This legislation would:

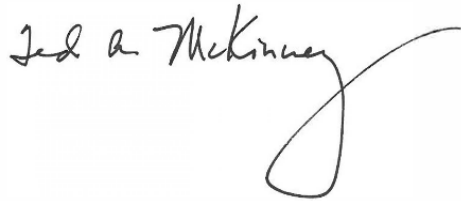
- Establish that food businesses choosing to include a date label use one of two standardized options: a quality label, which indicates when product quality may decline, using the phrase “BEST If Used By,” or a discard label, which indicates when a product should be discarded, using the phrase “USE By.”

- Require the USDA and FDA to jointly educate the public on the meaning of standardized date labels.
- Permit donations of food past the quality date, provided it meets food safety standards.

NASDA supports this legislation and appreciates your leadership on this issue. The bill's efforts to establish clear, uniform voluntary standards align with our priorities to reduce food waste and strengthen the U.S. food system. This legislation represents a practical, bipartisan opportunity to reduce food waste, lower costs for American households, and improve the efficiency of the U.S. food system, and we urge its timely consideration and passage.

Thank you for considering our input. If you have any questions, please contact Becky Garrison Warfel, RDN, Director of Public Policy, at becky.garrison@nasda.org.

Sincerely,

A handwritten signature in black ink that reads "Ted McKinney". The signature is written in a cursive style with a large, sweeping flourish at the end.

Ted McKinney
Chief Executive Officer
NASDA