

ALERT

New Federal Nutrition Guidelines Signal Continued Scrutiny of Ultra-Processed Foods

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The U.S. Department of Health and Human Services (HHS) and the U.S. Department of Agriculture (USDA) recently released the highly anticipated 2025-2030 Dietary Guidelines for Americans, which the Trump Administration supported as a “significant reset of federal nutrition policy.” The 2025-2030 Dietary Guidelines, issued January 7, encourage Americans to include more whole, nutrient-dense, and minimally processed foods in their diet, prioritize protein consumption, and limit highly processed foods and added sugars.

By law, the Dietary Guidelines for Americans (DGAs) are updated every five years and “contain nutritional and dietary information and guidelines for the general public.”^[1] The DGAs are foundational to the policies promoted by “[f]ederal food, nutrition, [and] health program[s]”^[2] and have an impact on the food served in public schools, the military, and through federal nutrition benefits programs.

Some of the nutritional guidance remains unchanged in the 2025-2030 Dietary Guidelines, such as encouraging consumption of a variety of fruits and vegetables and prioritizing whole grains over refined carbohydrates. But other long-standing recommendations, including limiting full-fat dairy consumption and saturated fat from animal products, diverged from past guidelines.

KEY TAKEAWAYS: First and foremost, the 2025-2030 Dietary Guidelines represent yet another step to advance this Administration’s continued focus on ultra-processed foods (UPFs). The new guidelines call for a reduction in “highly processed foods,” consistent with the policy goals of the larger Make America Health Again (MAHA) movement. Additionally, the 2025-2030 Dietary Guidelines direct Americans to “avoid highly processed packaged, prepared, ready-to-

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eat, or other foods that ... have added sugars and sodium" as well as "sugar-sweetened beverages."

Notably, this is the first time highly processed foods have been addressed as a distinct category in the DGAs, though this omission has been attributed largely to the fact that there is no uniform, federal definition for UPFs, or "highly processed foods" for that matter, under which to make nutrition recommendations. However, while the 2025-2030 Dietary Guidelines make specific recommendations related to the consumption of highly processed foods, in the absence of a clearly defined standard for what constitutes a highly processed or ultra-processed food, there may be confusion on what foods to avoid. It is unclear whether the use of "highly processed foods" in the DGAs represents a shift away from the use of the term "UPFs," or if there is a difference between the two terms. In any event, companies along the food supply chain should continue to monitor the shifting federal nutrition policy surrounding highly processed foods, particularly given the renewed focus among federal regulators.

Ultimately, the new guidelines will have the most direct impact on federal nutrition programs, which generally align their standards with the DGAs. USDA Secretary Rollins made it clear in the press briefing announcing the DGAs that implementing the 2025-2030 Dietary Guidelines into federal nutrition and meal programs, particularly the National School Lunch Program, is a priority for this Administration. While implementation of new Dietary Guidelines has historically been delayed,[3] we may experience faster adoption of the 2025-2030 Dietary Guidelines in federal nutrition programs given this Administration's demonstrated ability to work quickly to implement its policy priorities.

Other notable changes include:

Saturated Fats

During the press conference announcing the 2025-2030 Dietary Guidelines, HHS Secretary Kennedy remarked that "we are ending the war on saturated fats." While the recommended intake of saturated fats remains unchanged (less than 10% of total daily calories), the new guidelines depart from the long-standing emphasis on limiting foods high in saturated fats and instead emphasize consumption of full-fat dairy, healthy fats, and protein over whole grains. The 2025-2030 Dietary Guidelines additionally recommend cooking with healthy fats such as olive oil, noting that "other options can include butter or beef tallow."

Prioritizing Protein

The 2025-2030 Dietary Guidelines recommend that Americans "prioritize protein foods in every meal" and increase the recommended daily intake of protein to 1.2 – 1.6 grams per kilogram of body weight.

Emphasis on Added Sugars

The guidelines additionally state that no amount of added sugar is recommended for a healthy diet and that no meal should contain more than 10 grams of added sugar, which is a major change from prior recommendations of limiting added sugars to less than 10% of calories per day.

Shift in Alcohol Recommendations

The long-standing recommended daily limit of two alcoholic beverages or less for men, and one alcoholic drink or less for women, was removed from the nutritional guidelines. Instead, the 2025-2030 Dietary Guidelines suggest that individuals “consume less alcohol for better overall health.” The guidelines continue to recommend that pregnant women completely avoid alcohol.

Endorsement of Full-Fat Dairy

The updated guidelines encourage Americans to “include full-fat dairy with no added sugars” when consuming dairy. The 2025-2030 Dietary Guidelines additionally note that dairy is a good source of protein, healthy fats, vitamins, and minerals. This is a notable change from past federal guidelines, which recommended consuming fat-free and low-fat dairy products as part of a healthy diet.

WHAT THIS MEANS FOR INDUSTRY:

- **The 2025-2030 Dietary Guidelines support the MAHA movement’s focus on UPFs/highly refined foods.** While the guidelines do not contain a definition of UPFs and instead refer to “highly processed foods,” industry should expect continued scrutiny of UPFs by this Administration. Given the focus on processed foods in the 2025-2030 Dietary Guidelines and the request for information to develop a uniform definition of UPFs published in July 2025, the Administration may fast-track efforts to clarify the factors that may be used to classify a food as ultra-processed.
- **While the 2025-2030 Dietary Guidelines place greater emphasis on eating whole foods and contain other notable changes, they do not represent a complete overhaul of federal nutrition recommendations.** Though the 2025-2030 Dietary Guidelines support a diet inclusive of red meat and full-fat dairy products, the recommendations still promote limiting saturated fat intake to 10% of an individual’s daily caloric intake. The recommendations surrounding added sugar likely represent the largest shift in federal nutrition policy, and nutrition experts generally appear to support the change.
- **The Administration intends to use the Dietary Guidelines to implement changes related to federal nutrition programs, such as the National School Lunch Program and WIC.** Since some federal food and nutrition programs must generally align their standards with the DGAs, there may be changes to allowable ingredients or nutritional profiles of food products procured by these programs. While it is unclear how quickly the Administration will move to implement changes involving these nutrition programs, food suppliers should review their contracts and ensure that their products continue to comply with federal standards.

Wiley will continue to provide ongoing analysis regarding regulatory activities related to the 2025-2030 Dietary Guidelines. For more information on how these federal nutrition policy changes could affect your business, please reach out to our team of interdisciplinary attorneys.

[1] 7 U.S.C. § 5341(a)(1).

[2] *Id.*

[3] The Final Rule implementing the 2020-2025 Dietary Guidelines into the Child Nutrition Program was not published until April 2024.