

Information Paper: Department of War (DoW) Non-imminent Ingredient Review Process Map

This paper provides a detailed explanation of the process map for restricting or removing a food ingredient from use within the Department of War (DoW). The purpose of this process is designed to foster collaboration between internal and external stakeholders and careful consideration of proposed restriction or removal of food ingredients within the DoW. This process is not for imminent safety concerns. Concerns of food safety (contamination, adulteration, allergen), regulatory non-compliance, recall/outbreak are regulated by the Food and Drug Administration (FDA) and the U.S. Department of Agriculture (USDA).

The process is a multi-phased, collaborative effort involving several internal DoW committees, external stakeholders, and federal partners. It is designed to ensure that any decision is based on thorough review, scientific evidence, and comprehensive feedback. The process flows from an initial proposal through various stages of review and culminates in a final, published determination. Within this process the following terms are defined as: *review* is formal evaluation with documented outcome; *vote* is a recorded decision by committee or board members; *advance* is the progression to next process stage; *reject* is the termination of proposal with documented rationale.

Documentation for the process will be recorded in a unified manner. At each decision point the board or committee will provide written rationale for advance/reject decision and a summary of information considered. The public docket records may include the initial proposal and supporting data; all public comments received, Federal partner technical reviews (redacted if necessary); final determination with justification and scientific references and risk assessment. The Joint Working Group (JWG) will provide an annual briefing to the NC which reports a summary of all ingredient proposals received, the status of pending proposals, completed actions and outcomes.

Phase I: Initial Proposal and Internal Review

The process begins when a proposal to restrict or remove an ingredient is submitted. Any office within the Department or its Services can initiate such a proposal.

- Step 1: JWG Review: The Services' Buyers' Guide JWG is the first body to receive and review the proposal. Within 30 days, the JWG votes on whether to advance the proposal to the next stage or to reject it. This decision is recorded in minutes.
- Step 2: Joint Subsistence Advisory Committee (JSAC) Review: If advanced, the proposal is reviewed by the JSAC. This committee votes to determine if the recommendation warrants review by the Joint Subsistence Policy Board (JSPB). The decision to advance or reject is made and recorded within 30 days.

- Step 3: JSPB Review: The JSPB conducts its own review and formulates a final recommendation for the DoD Nutrition Committee (NC). Similar to the previous steps, this decision is made within 30 days of receipt by board voting procedures.

3. Phase II: NC Adjudication

Once the proposal clears the initial review phase, the NC takes charge of the process, beginning with its own internal assessment.

- Step 4a & 4b: Internal Fact-Finding and Vote: The NC first determines if additional internal fact-finding is necessary. If so, it initiates steps to fill any knowledge gaps within 60 days. Following the completion of this internal research, the NC reviews all available information and votes to either move the proposal forward or reject it. This review and vote must occur within 30 days of completing the fact-finding.

4. Phase III: External and Federal Partner Consultation

If the NC votes to proceed, the process moves to gather input from outside the DoW.

- Step 5: Federal Register Notice: Within 15 days of its vote, the NC issues a notice in the Federal Register. This action serves to formally announce the proposed change and solicit input from external stakeholders.
- Step 6: Public Comment Period: External stakeholders are given a minimum of 15 days to provide comments on the proposed action. This feedback is a critical data input for the final decision.
- Step 7: Federal Partner Consultation: The NC reviews the external feedback and, within 30 days, engages the appropriate Federal partners for expert consultation based on the food type. These partners are given 90 days to provide their own comments and recommendations. If Federal partners provide substantial revisions needed, the NC will issue re-notice for additional comment. The key federal partners include:
 - U.S. Department of Agriculture (USDA): For meat, poultry, and fresh produce.
 - Food and Drug Administration (FDA): For all foods except USDA-regulated meat, poultry, egg products; seafood and fish (all species); combination products with <3% raw or <2% cooked meat; game meats from non-amenable species; dietary supplements and infant formula; food and color additives, generally recognized as safe (GRAS) substances; animal feed and pet food
 - U.S. Army Combat Feeding Directorate: For operational rations.
 - U.S. Department of Commerce: For seafood.

5. Phase IV: Final Determination and Publication

The final phase involves consolidating all information to make a conclusive decision.

- Step 8: Final Review and Determination: The NC reviews all input from internal fact-finding, external stakeholders, and federal partners. It coordinates with internal stakeholders to develop a final determination. A vote is held within 30 days of receiving the external stakeholder information. Notably, the NC reserves the right to repeat steps 5 through 7 if it determines more information is needed.
- Step 9: Publication of Final Rule: Within 30 days of the final vote, the NC publishes its determination and a detailed justification in the Federal Register. This document represents the final outcome of the process.

The Department's process for restricting food ingredients is a structured and transparent methodology. By incorporating decision points at multiple levels of review and mandating consultation with public and federal experts, the framework ensures that any changes to the subsistence supply chain are deliberate, well-vetted, and clearly communicated.