TAXPAYERS PROTECTION ALLIANCE

July 20, 2026

The Honorable Bill Cassidy
Chairman
Committee on Health, Education, Labor and Pensions
United States Senate
Washington, DC 20510

The Honorable Bernie Sanders
Ranking Member
Committee on Health, Education, Labor and Pensions
United States Senate
Washington, DC 20510

Dear Chairman Cassidy, Ranking Member Sanders, and Members of the Committee:

On behalf of millions of taxpayers and consumers, the Taxpayers Protection Alliance (TPA) urges you to oppose the "Childhood Diabetes Reduction Act." While the proposal's goal of improving children's health and reducing chronic disease is a laudable one, the legislation will raise grocery prices for millions of Americans while doing nothing to improve health. In addition, the bill unacceptably undermines commercial speech, posing significant First Amendment concerns.

At the core of the "Childhood Diabetes Reduction Act" is a highly disruptive one-size-fits-all front-of-package warning label system managed by the Food and Drug Administration (FDA). The bill mandates massive, bold, rectangular warning labels—complete with a mandatory exclamation point inside a warning triangle—covering at least five percent of the principal display panel of thousands of everyday products.

These heavy-handed and stigmatizing warnings apply broadly to a vast array of foods and beverages, including sugar-sweetened products, items containing non-sugar sweeteners, and anything arbitrarily designated as "ultra-processed." The definitions offered by the legislation cast an astoundingly wide net, including foods that virtually no nutritionists nor public health experts would caution against consuming.

For example, the legislation defines "ultra-processed" as "a food, including a beverage, containing one or more industrial ingredients, including surface-active agents, stabilizers and thickeners, propellants, aerating agents and gases, color and coloring adjuncts, emulsifiers and emulsifier salts, flavoring agents and adjuvants, flavor enhancers, surface-finishing, non-sugar sweeteners, and other ingredients, as the Secretary determines appropriate." That sweeping definition implicates everything from non-fat Greek yogurt (which contains stabilizers and thickeners like pectin, carob bean gum, or guar gum to maintain texture) to canned beans—

which often contain calcium chloride as a firming agent so the beans don't turn into mush in the can.

The legislation's definition of "sugar-sweetened beverage"—"any beverage intended for human consumption to which one or more caloric sweeteners has been added and that contains 25 or more calories per 12 fluid ounces of beverage"—is similarly poorly drafted. If enacted, the bill would force manufacturers to put warning labels on bottled light iced teas, which often contain right around 30 to 45 calories per 12 ounces. Additionally, many organic juice pouches designed for kids are specifically formulated with 30–40 percent less sugar than 100 percent apple juice by diluting them with water. These typically comprise between 30 and 60 calories per serving, meaning they would face the same aggressive warning labels as a significantly less healthy beverage.

These mandates would not only confuse millions of consumers; they would lead to higher costs at the grocery store by forcing food and beverage manufacturers to pass along massive compliance costs. To comply with the bill's overlapping mandates, companies must completely overhaul their supply chains, invest millions of dollars in continuous laboratory testing to verify nutrient profiles, and pay for total packaging redesigns across thousands of everyday products—including healthy staples like light cranberry juices, plant milks, and Greek yogurts that inadvertently trigger the bill's broad definitions.

In addition, the proposal simply cannot be squared with the First Amendment. While the government can regulate commercial speech, Supreme Court precedent holds that it may only regulate lawful and non-misleading speech if it can prove the regulation serves a substantial state interest, directly advances that interest, and is not more extensive than necessary to achieve its goal.[1] The government cannot satisfactorily show that regulations targeting reduced-sugar drinks, canned beans, and Greek yogurt serve a substantial state interest, and it certainly cannot show that said rules are reasonably tailored. The "Childhood Diabetes Reduction Act" is just the latest in a long line of government attempts to limit Americans' freedom of speech.

The "Childhood Diabetes Reduction Act" makes a mockery of the First Amendment while raising prices for millions of families. We urge you to oppose this misguided legislation and support a light-touch regulatory approach to labeling and food innovation that puts consumers first. Thank you for your time and consideration of this pressing issue.

Sincerely,

David Williams
President

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[1] https://firstamendment.mtsu.edu/article/commercial-speech/.

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