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FDA Releases Draft Guidance on the Labeling of Plant-Based Foods



The U.S. Food and Drug Administration (FDA) recently published [draft guidance on the Labeling of Plant-Based Alternatives to Animal-Derived Foods](#) (Draft Guidance). The Draft Guidance recommends best practices for naming plant-based alternatives to eggs, seafood, poultry, meat, and dairy products (with the exception of plant-based milk alternatives, which are addressed in a separate FDA draft guidance). FDA’s primary recommendation is that the statement of identity for plant-based alternatives should identify the specific plant source(s) of the food and should not suggest that animal source(s) are present or have been used as ingredients.

Identity and Naming of Plant-Based Alternative Foods

Plant-based alternative foods do not have established standards of identity. Therefore, in FDA parlance, plant-based alternative foods are “non-standardized foods.” Such foods must bear the common or usual name of the food. If no such name exists, the food must bear an accurate description of the food or a fanciful name commonly used by the public.

FDA recommends that manufacturers apply the labeling principles codified at 21 CFR § 102.5(a) when naming plant-based alternative foods. More specifically, the food should be labeled using an appropriately descriptive name that: (1) accurately identifies or describes the basic nature of the food or its characterizing properties or ingredients; (2) is uniform among identical or similar products; (3) is not confusingly similar to the name; and (4) distinguishes it from other dissimilar foods.

Key Recommendations

FDA recommends highlighting the specific plant source(s) from which the food is derived (*e.g.*, “**soy**-based cheddar cheese,” “**chickpea and lentil**-based fish sticks,” “**chia and flax seed** egg-less scramble”). Even in cases where the label clearly states “plant-based,” FDA recommends additionally identifying the specific plant

source(s) present in the product in an effort to provide consumers with sufficient details to inform their purchasing decisions (*e.g.*, “Plant-Based Chickpea & Lentil-Based Fish Sticks”).

Below, we review additional (nonexhaustive) recommendations highlighted in the Draft Guidance:

- When using the name of a food that has an established standard of identity (*e.g.*, cheddar cheese), the name of the standardized food should be qualified by the type of plant source. For example, “soy-based cheddar cheese” can be used for a product that uses soy in lieu of dairy.
- When the food is formulated with two or more plant sources, FDA recommends using the primary or predominant plant source(s) in the food’s name. For example, “***black bean mushroom veggie*** patties” can be used for a product that contains a blend of black beans, mushrooms, and multiple vegetables, with black beans as the predominant ingredient.
- When the food is labeled with “[animal or meat]-free,” “non-[animal or meat],” “vegan,” or “meat-free,” FDA again recommends including the specific plant source(s) in the food’s name. For example, a soy-based bacon product can be named “plant-based *soy* bacon.”
- When using the name or modified name of animal-derived foods (*e.g.*, chicken, bacon, jerky, Chik’N, Be’f), these names can still be used so long as the name is adequately qualified by identifying the plant source. For example, a soy-based chicken product with a modified name may use “*soy*-based Chik’N.”
- When featuring vignettes or other flavor statements, manufacturers should not convey or communicate that animal-based ingredients are the source of the product if it is plant-based.

Next Steps

FDA is accepting comments through May 7, 2025. If you have any questions concerning the Draft Guidance, please contact members of Perkins Coie’s [Food Regulatory team](#).

Authors

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