

No Artificial Flavors

Substantiation Requirements [PRIVILEGED AND CONFIDENTIAL/ WORKING DRAFT]

***This guide applies to products sold in the US market. It is not intended to apply to products sold or marketed internationally.**

Product Scope

These requirements are applicable to foods and dietary supplements.

Background

Flavors are used to enhance the sensory attributes of a food or supplement product.

Regulatory Requirements

21 CFR 101.22 defines flavors for FDA regulated products.

21 CFR 182.10, 21 CFR 182.2, 21 CFR 182.4, & 21 CFR 182.5 - Define spices and other natural seasonings and flavorings.

21 CFR 184 - Direct food substances affirmed as generally recognized as safe (GRAS).

9 CFR 381.118 - USDA-FSIS defines the use of “natural flavor” for USDA regulated products. The term “natural flavor” and other variants as described in 9 CFR 381.118 may also be used to designate spices, powdered onion, powdered garlic, and powdered celery.

Claim Language

The requirements in this standard are applicable to “no artificial flavors” claims and the following variants:

- No Synthetic Flavors

Omnichannel Merchant Requirements

The approved claim to be used in Walmart and Sam’s Club omnichannel initiatives is “**No Artificial Flavors**”.

Substantiation Requirements

Before representing a product as “no artificial flavors” in any omnichannel initiative, the Merchandising team must ensure the following requirement is met:

- The “no artificial flavors” claim or any of the variants listed above is on the packaging.

Additional Requirements

As part of the omnichannel initiative, the following or similar statement should be prominently displayed to consumers: “These products have been identified by the manufacturer as not containing artificial flavors. Always check the label to ensure the product aligns with your dietary preferences.” Modifications to this language should be escalated to Consumer Protection Compliance.

Private Brand Requirements

The approved claim to be used on Walmart and Sam’s Club private brands packaging is “**No Artificial Flavors**”.

Substantiation Requirements

Before representing a private brand product as “no artificial flavors” on the packaging or in any omnichannel initiative, the supplier must ensure the following requirements are met:

- The supplier must complete and provide in the specification system a Supplier Acknowledgment of Expectations for the product making the claim, **AND**
- Formulation review by a third-party reviewing agency of Walmart’s or Sam’s Club’s choice to confirm the absence of:
 - Any artificial flavors, defined by 21 CFR 101.22(a)(1), 172.515(b), and 182.60, including:
 - D-l malic acid
 - Citric acid
 - Ascorbic acid
 - Phosphoric acid
 - Fumaric acid
 - Sodium diacetate
 - Ethyl vanillin

Sodium citrate

Label Requirements

- Characterizing flavors must be appropriately qualified in accordance with 21 CFR 101.22.

- Refer to the Proofing Standard or Brand Guide for brand requirements.

Ongoing Substantiation Requirements

If the formulation was reviewed, the supplier must send the formulation to a third-party reviewing agency of Walmart/Sam’s Club’s choice for review every time the product gets reformulated, or label updated.

Continuing Obligation to Defend and Indemnify

As a private brand supplier to Walmart Inc., the supplier is solely responsible for the accuracy of all product labeling and claims. Compliance with the requirements outlined in the “Product and Packaging Claims - Substantiation Requirements for Private Brands”, or any label review conducted by or at the request of Walmart Inc., in no way impacts contractual defense and indemnity obligations to Walmart Inc. as set forth in the Supplier Agreement for all claims related to merchandise, including claims related to the labeling.

Version History				
Version	Approved By	Revision Date	Description of Change	Author
1.0			Original version was drafted.	Kathy Cuevas