FDA: New Regulations for Nutrition Facts Labeling
Agenda

Basics of NLEA

Why the Update?

Key Changes

Menu Labeling

Resources
New Nutrition Facts Label
Nutrition Labeling and Education Act of 1990 (NLEA)

- Explicit authority for nutrition labeling
- Requires disclosure of certain nutrients
- Provides some discretion to add or remove nutrients that are required to be declared on the label
- Requires that information be provided in context of total daily diet
Why Update the Nutrition Facts Label?

- Scientific information on diet and health has improved, including link between diet composition and risk of chronic diseases and public health.
- Amount of foods consumed have changed and FDA’s Reference Amounts Customarily Consumed, used to set serving sizes, need adjustment.
- Priorities for dietary guidance have changed, with focus shifting to calories and serving sizes as two important elements in making healthier food choices.
Key Information Considered

- Scientific evidence, including consensus reports
- Public comments to advance notices of proposed rulemaking
- Citizen petitions (e.g., manufacturers, advocacy groups, individuals)
- Data from National Health and Nutrition Examination
- Survey (NHANES)
- Findings from consumer studies
Key Changes

• Modernized the format to highlight calories and serving size information; updated footnote
• Updated the Daily Values
• Updated nutrients of public health significance - Trans fat and dietary fiber
• Mandated declaration of added sugars with % DV
• Records requirements
Key Changes

• Changed some reference amounts used to calculate serving sizes
• Require dual-column labeling with nutrition information listed per serving and per package or unit for certain products
• Changed the criteria for single serving packages
# The New and Improved Nutrition Facts Label – Key Changes

The U.S. Food and Drug Administration has finalized a new Nutrition Facts label for packaged foods that will make it easier for you to make informed food choices that support a healthy diet. The updated label has a fresh new design and reflects current scientific information, including the link between diet and chronic diseases.

## 1. Servings

The number of “servings per container” and the “Serving Size” declaration have increased and are now in larger and/or bolder type. Serving sizes have been updated to reflect what people actually eat and drink today. For example, the serving size for ice cream was previously ½ cup and now is ¾ cup.

There are also new requirements for certain size packages, such as those that are between one and two servings or are larger than a single serving but could be consumed in one or multiple sittings.

## 2. Calories

“Calories” is now larger and bolder.

## 3. Fats

“Calories from Fat” has been removed because research shows the type of fat consumed is more important than the amount.

## 4. Added Sugars

“Added Sugars” in grams and as a percent Daily Value (%DV) is now required on the label. “Added Sugars” include sugars that have been added during the processing or packaging of a food. Scientific data shows that it is difficult to meet nutrient needs while staying within calorie limits if you consume more than 10 percent of your total daily calories from added sugar.

## 5. Nutrients

The lists of nutrients that are required or permitted on the label have been updated. Vitamin D and potassium are now required on the label because Americans do not always get the recommended amounts. Vitamins A and C are no longer required since deficiencies of these vitamins are rare today. The actual amount in grams in addition to the %DV must be listed for vitamin D, calcium, iron, and potassium.

The daily values for nutrients have also been updated based on newer scientific evidence. The daily values are reference amounts of nutrients to consume or not to exceed and are used to calculate the %DV.

## 6. Footnote

The footnote at the bottom of the label has changed to better explain the meaning of %DV. The %DV helps you understand the nutrition information in the context of a total daily diet.

Manufacturers will need to use the new label by July 26, 2016, and small businesses will have an additional year to comply. During this transition time, you will see the current Nutrition Facts label or the new label on products.

For more information about the new Nutrition Facts label, visit: [www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/LabelingNutrition/ucm385663.htm](http://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/LabelingNutrition/ucm385663.htm)
Calories and Serving Sizes

- Focus attention on information that is important for addressing current public health problems like obesity
- Increase the type size of “Calories,” “servings per container,” and the “Serving size” declaration
- Reverse the order of “Serving size” and “servings per container”
- Bold the “Calories” and the “Serving size” declaration
Updated Footnote

- Updated footnote better explains the % Daily Value and helps put calories in context of the daily diet.
Updating the Daily Values

• Using most recent science
• Continue to use the population-coverage approach for Vitamins and Minerals
  – Total Fat: 65-78 g
  – Total Carbohydrate: 300-275 g
  – Dietary Fiber: 25 to 28 g
  – Sodium: 2,400-2,300 mg
  – Potassium: 3,500-4,700 mg
  – Calcium: 1,000-1,300 mg
  – Vitamin D: 400 IUs (10 µg)-20 µg
**Trans Fat**

- Is remaining on label since ruminant sources can contribute to intake
- May also have small amounts of industrial produced *trans* fats if food additive petitions are approved

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**Nutrition Facts**

- Serving size: 2/3 cup (55g)
- Calories: 230
- Total Fat: 8g (12%)
- Saturated Fat: 1g (5%)
- *Trans Fat*: 0g
- Cholesterol: 0mg (0%)
- Sodium: 160mg (7%)
- Total Carbohydrate: 37g (12%)
- Dietary Fiber: 4g (14%)
- Total Sugars: 12g
- Includes 10g Added Sugars (20%)
- Protein: 3g

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* The % Daily Value (DV) tells you how much a nutrient in a serving of food contributes to a daily diet. 2,000 calories a day is used for general nutrition advice.
Dietary Fiber

- Updating the definition to reflect fiber that has physiological effects that are beneficial to human health
- Intend to publish a separate notice to provide a review of the research for about 25 fibers
Nutrients of Public Health Significance

• Vitamin D and Potassium are now mandatory on the label
• Calcium and Iron will remain on the label
• Vitamins A and C are no longer mandatory on the label but can be declared voluntarily
• Including absolute amounts for nutrients of public health significance in addition to % Daily Value
Added Sugars Mandatory

• Based on evidence that:
  o High intake of added sugars decreases intake of nutrient dense foods and increases overall caloric intake
  o Dietary patterns lower in sugar-sweetened foods and beverages are associated with a reduced risk of cardiovascular disease

• Daily Value:
  o Meeting nutrient needs while staying within calorie limits is difficult with more than 10 % of total daily calories from added sugar
Added Sugars Mandatory

- FDA adding “includes” to help clarify that “added sugars” is a subcomponent of “total sugars”
- Changed “Sugars” to “Total Sugars”
- Also removed part of the hairline between “total sugars” and “added sugars”
**Added Sugars Definition**

- syrups
- brown sugar
- high fructose corn syrup
- invert sugar
- maltose
- trehalose

- honey
- molasses
- sucrose
- lactose
- maltose sugar
- concentrated fruit juice*

* Sugars from concentrated fruit or vegetable juices in excess of what would be expected from 100% fruit or vegetable juice. Excludes fruit or vegetable juice concentrated from 100% fruit juice that is sold to consumers (e.g., frozen concentrated orange juice).
Records Requirement

• Requires manufacturers, in certain circumstances, to make and keep records to verify mandatory declaration of added sugars as well as for certain fibers, vitamin E and folic acid and folate for which analytical methods not available

• First time records are needed to verify declaration of mandatory nutrients (added sugars and dietary fiber, if certain fibers are added)
Serving Size Changes

• Per Nutrition Labeling and Education Act, serving sizes are calculated based on the Reference Amounts Customarily Consumed (RACCs) and are required on the Nutrition Facts label

• Approximately 30 out of 158 RACCs will change, e.g.,
  – Bulk ice cream from 1/2 cup to 2/3 cup
  – Carbonated beverages from 8 ounces to 12 ounces
  – Yogurt from 8 ounce to 6 ounces

• Approximately 25 new RACCs
  – Petitions and new foods
Serving Size Changes
What's considered a single serving has changed in the decades since the original nutrition label was created. So now serving sizes will be more realistic to reflect how much people typically eat at one time.

**CURRENT SERVING SIZE**
- 4 SERVINGS
- 1 PINT
- 200 CALORIES

**NEW SERVING SIZE**
- 3 SERVINGS
- 1 PINT
- 270 CALORIES
Packaging Affects Servings

Package size affects how much people eat and drink. So now, for example, both 12 and 20 ounce bottles will equal 1 serving, since people typically drink both sizes in one sitting.

12 OUNCES
120 CALORIES

20 OUNCES
200 CALORIES

1 SERVING PER BOTTLE FOR EITHER BOTTLE SIZE
Dual Column Labeling

- Required on packages that can be consumed in one or multiple sittings
- Nutrition information presented per serving and per package
- For packages that contain 200% and up to and including 300% of the RACC
- A 3oz (90g) bag of chips would be labeled per serving [1oz (30g)] and per package [90g]
Compliance Date

• Original proposal: 2 years for all manufacturers to comply

• Final Rule: 2 years for all manufacturers except:
  – Businesses with less than <$10M in revenue have three years to come into compliance.

• The additional year balances need for consumers to have this information and small businesses’ need for additional time to comply

• July 26, 2018
Has been postponed till May 2018
Stay tuned for more .....
Why Menu Labeling?

- 2/3 of adult population is overweight or obese
- 1/3 of calories consumed outside the home
- Information on calories generally not available at point of purchase in restaurants and similar retail food establishments
- One tool to help people maintain healthy weight
Calories Displayed on Menus/Menu Boards

- Term “Calories ‘or “Cal” may appear as a heading
- Number of calories must be declared to
  - 5-calorie increment - 50 calories
  - 10-calorie increment > 50 calories
- Same color, or in a color at least as conspicuous, as the color of the name or price of the - no smaller than type size of name or price of menu item; whichever is smaller
- Variable Menu Item - range
Marketing the new NF Label

- Press releases
- Consumer update handouts
- Materials on the web, [https://www.fda.gov/food/ingredientspackaginglabeling/labelingnutrition/ucm20026097.htm](https://www.fda.gov/food/ingredientspackaginglabeling/labelingnutrition/ucm20026097.htm)
- Training provided to health care professionals, and educators. Train the trainer opportunities.
- Working with local community groups to distribute information
- Participate in health fairs, workshops, conferences, and other means of reaching folks
Materials and Tools Available Online

- Nutrition Facts Label online
- Whyville
- Read the Label Youth Outreach Resources
- Sodium: look at the Label
- Food Facts: Nutrition Fact Sheets
- Multimedia
- Nutrition for Older Adults
Example of “Food Facts”

- **Food Facts: Nutrition Fact Sheets**
- The Nutrition Facts label is a handy tool for comparing and choosing foods that contribute to a healthy diet. FDA’s Food Facts fact sheets cover a variety of nutrition topics, condensing key information into printable fact sheets.
- **New and Improved Nutrition Facts Label**
  - Versión Nueva y Mejorada de la Etiqueta de Información Nutricional (Spanish)
- **The New Nutrition Facts Label - Key Changes (1-page overview) PDF (189KB)**
  - La nueva y mejorada etiqueta de Información nutricional – Cambios clave (PDF: 193KB)
- **Calorie Labeling on Restaurant Menus and Vending Machines**
  - Etiquetado de calorías en los menús de restaurantes y las máquinas expendedoras: lo que usted necesita saber (Spanish)
- **Gluten and Food Labeling**
  - El gluten y el etiquetado de los alimentos (Spanish)
- **How to Understand and Use the Nutrition Facts Label**
Other Resources

• Questions on new rules:
  NutritionProgramStaff@fda.hhs.gov

• 21 Code of Federal Regulations Part 101
  http://www.ecfr.gov

• Food Label Page
  http://www.fda.gov/Food/IngredientsPackagingLabeling/default.htm

• Menu Labeling
  http://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/LabelingNutrition/ucm515020.htm
In Summary Resources

• FDA Consumer Updates: one pager documents on specific nutrients (other languages)
• Material geared to special audiences: elderly, youth, non-English speaking
• All materials on the website for easy access and download
• Can be requested from your local FDA Public Affairs Specialist/Health Communication Specialist!