



Final Rules to Update the Nutrition Facts Label

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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



Regulatory Process

- Two proposed rules issued in March 2014
- Supplemental proposed rule issued in July 2015
- Two final rules published on May 27, 2016
 - Revision of the Nutrition and Supplement Facts Label
 - Revision of Serving Size Requirements



Populations

- General population 4 years of age and older, including those at risk of chronic disease
 - At risk includes those overweight and obese (>2/3 of adults)
 - Label not meant to treat individuals with chronic disease
- Pregnant and lactating women
 - Different Daily Values
- Young children (1-3 years)
- Infants (through-12 months of age)



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

- Mandated declaration of added sugars with % DV
- 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
- Records requirements



Key Changes (cont.)

- 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
- Compliance date

NEW LABEL / WHAT'S DIFFERENT

Servings:
larger,
bolder type

Nutrition Facts	
8 servings per container	
Serving size	2/3 cup (55g)
Amount per serving	
Calories	230
% Daily Value*	
Total Fat 8g	10%
Saturated Fat 1g	5%
<i>Trans Fat</i> 0g	
Cholesterol 0mg	0%
Sodium 160mg	7%
Total Carbohydrate 37g	13%
Dietary Fiber 4g	14%
Total Sugars 12g	
Includes 10g Added Sugars	20%
Protein 3g	
Vitamin D 2mcg	10%
Calcium 260mg	20%
Iron 8mg	45%
Potassium 235mg	6%

* 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.

Serving sizes
updated

Calories:
larger type

Updated
daily
values

New:
added sugars

Change
in nutrients
required

Actual
amounts
declared

New
footnote



Added Sugars Mandatory

- Based on evidence that:
 - High intake of added sugars decreases intake of nutrient dense foods and increases overall caloric intake
 - Dietary patterns lower in sugar-sweetened foods and beverages are associated with a reduced risk of cardiovascular disease
- Daily Value:
 - Meeting nutrient needs while staying within calorie limits is difficult with more than 10 percent 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”

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Added Sugars Definition

Includes sugars that are either added during processing of foods, or are packaged as such, and includes:

- | | |
|---------------------------|----------------------------|
| -syrups | -honey |
| -brown sugar | -molasses |
| -high fructose corn syrup | -sucrose |
| -invert sugar | -lactose |
| -maltose | -maltose sugar |
| -trehalose | -concentrated fruit juice* |

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

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

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Updated Footnote

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

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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

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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

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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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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

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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

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



NEW SERVING SIZE





Serving Sizes

- 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

Labeling Single-Serving Packages



Calories and other nutrients must be declared for the entire package rather than per serving because people typically consume the package in one sitting.

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 (30 g)] and per package [90 g]

Nutrition Facts			
2 servings per container			
Serving size		1 cup (255g)	
	Per serving	Per container	
Calories	220	440	
	% DV*	% DV*	
Total Fat	5g 8%	10g 15%	
Saturated Fat	2g 10%	4g 20%	
Trans Fat	0g	0g	
Cholesterol	15mg 5%	30mg 10%	
Sodium	240mg 10%	480mg 21%	
Total Carb.	35g 12%	70g 23%	
Dietary Fiber	6g 21%	12g 43%	
Total Sugars	7g	14g	
Incl. Added Sugars	4g 8%	8g 16%	
Protein	9g	18g	
Vitamin D	5mcg 25%	10mcg 50%	
Calcium	200mg 15%	400mg 30%	
Iron	1mg 6%	2mg 10%	
Potassium	470mg 10%	940mg 20%	

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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 3 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



Questions

Mailbox for questions on the rules:

NutritionProgramStaff@fda.hhs.gov

