

FDA Posts New Rules for Menu Calorie Labels

Nutrition information for customers must be available by next May

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The federal rules requiring the posting of calorie counts on menus, which were supposed to go into effect last January 1, are rescheduled to begin in May 2017.

The rules are applicable to any food service that is part of a 20-unit “chain.” This includes nearly all food service contractors and their clients.

The U.S. Food and Drug Administration has published new guidelines for compliance with the regulations. In addition to posting calorie counts on menus, operators must make broader nutrition information available to customers.

The new guidelines don’t differ substantially from the regulations first published in December 2014, but provide more detailed information about compliance.

What to Post and Where

The calorie labeling requirement applies to any “standard menu item” however offered – served, prepared to order or self-service (e.g., a salad bar). The calorie value must appear next to the name or price of the item.

For self-service foods and foods displayed that are not listed on the menu, the information must be posted “in close proximity and clearly associated with the standard menu item,” the FDA’s guidance says.

Menus mean any form of listing of foods offered, including kiosk ordering stations and through an app or an online menu.

Menus also must include the statement:

2,000 calories a day is used for general nutrition advice, but calorie needs vary. Additional nutrition information available upon request.

Nutrition Info

More complete nutrition information must be made available to customers. The form may be “by counter card, sign, poster handout, booklet, loose-leaf binder, menu, electronic device or similar means,” the guideline says. In addition, if the menu makes a nutrition claim for an item, such as “low fat” or “high in vitamin c”, the nutrient basis for the claim must be included.

Exemptions

Items excluded from the posting rule:

- *Condiments* provided for general use.
- *Daily specials* – one-day offers.
- *Temporary items*, offered for less than 60 days a year.
- *Executive dining rooms and catered events*, where guests are not charged for their food, but a catering menu (including online) that a customer may use to order food for the EDR or catering that includes prices must comply with the listing rules.

Information Required for each standard menu item:

- Total calories
 - Calories from fat
 - Total fat
 - Saturated fat
 - Cholesterol
 - Sodium
 - Total carbohydrates
 - Dietary fiber
 - Sugars
 - Protein
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Getting Ready

The FDA gave a year's advance notice, so there's enough time to prepare to comply. But time flies. It would be wise to ask your food service operator now about its plans for implementing the new requirements and follow up before next May.

The FDA has the authority to enforce its rules and says it "intends to work with state and local authorities to ensure that implementation and enforcement . . . are uniformly applied."

The full requirements are published in a 58-page electronic brochure at *fda.gov/downloads/Food/GuidanceRegulations*.

Clarion can help you meet the guidelines. Contact Tom Mac Dermott, 603/642-8011 or E-mail us at info@clariongp.com