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## **United States Food and Drug Administration Nutrition Facts Panel Requirements Update**

In one of the largest changes to food labelling legislation in the United States of America for decades, the “iconic” Nutrition Facts Panel on food packages will have a different look from the middle of 2018, according to a final rule published by the Food and Drug Administration (FDA) on 20<sup>th</sup> May 2016.

Further to this, serving sizes have also been amended to better reflect what Americans presently eat in a normal eating occasion. This brings to an end a process that has taken place over several years to bring the panel, introduced over 20 years ago, into a format which better informs Americans about the nutritional quality of their food and better reflects the nutritional needs and eating patterns of modern day Americans. This means that over 800,000 food labels will need to be changed in the next 2 years.

This brief fact sheet outlines what has changed.

Issued July 2016

## What Has Changed?

Several important changes are made in the legislation that food companies will need to be aware of when updating the Nutrition Facts Panel. Some are graphical, for instance:

**Calorie Declaration:** The size required for the word “Calories” increases from at least 8 point to at least 16 point font, with the number of calories itself to be declared in a font no smaller than 22 point. This must be in bold or extra bold.

**Serving Size:** The font size required for the phrases “x servings per container” and the serving size itself from 8 point to 10 point. The statement of “Serving size” must appear in bold or extra bold.

**Dual Format:** It is now mandatory for foods which could be consumed in one eating occasion, even if the serving size is greater than 1 serving, to carry a dual column Nutrition Facts Panel. For instance, a 24 ounce soda is an example of such a food which may be consumed by an individual in one eating occasion, even if the stated serving size is 12 ounces. The dual column format requires manufacturers to list the nutrition information both per stated serving and per container.

Although it may immediately appear that the main changes are purely graphical, these are not the only changes made. Alterations have also been made to nutrients that are considered mandatory to be declared on the Nutrition Facts Panel, such as:

**Calories from fat:** The requirement to declare this has been removed. Current science indicates that the type of fat consumed is more important on a nutritional basis than the amount.

**Added sugars:** Added sugars are required to be declared for the first time, both as their amount and as their percentage Daily Value. Current data indicates that if 10% of total daily calories or more are derived from added sugar, it is difficult to meet nutrient needs while staying within calorie limits.

**Mandatory vitamin and mineral declaration:** Vitamin A and Vitamin C no longer need to be declared, but can be declared voluntarily. These have been replaced by Vitamin D and potassium, as current research shows that there is a tendency for some Americans to be deficient in Vitamin D and potassium. The original requirement for Vitamin A and Vitamin C was that Americans were struggling to get enough of these vitamins in their diet in the 1990s, when reference quantities were first drawn up. Furthermore, the actual amount of these mandatory vitamins and minerals must now be declared on the label, rather than just the percentage Daily Value as was previously necessary.

**Daily Value Footnote:** Previously Daily Value requirements were shown for certain nutrients. The provision for this has been removed. The wording of the footnote to explain Daily Values has been changed, and should now read “\*The % Daily Value 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.”

**Daily Value Updates:** Daily Values for certain nutrients have been updated:

- Fat – increases from 65g per day to 78g per day
- Total carbohydrate – decreases from 300g per day to 275g per day
- Dietary fiber – increases from 25g per day to 28g per day

- Sodium – decreases from 2,400mg per day to 2,300mg per day
- Potassium – increases from 3,500mg per day to 4,700mg per day
- Added sugars – now defined at 50g per day
- Calcium – increases from 1,000mg to 1,300mg

Some of the implications that these changes may have are immediately apparent. For instance, a 591mL (20 US fl. oz.) bottle of soft drink in the United States containing 10g of sugar per 100mL would contain greater than 100% of the reference intake of added sugar, which would now be mandatory to declare on the label due to the requirement to list in dual format if the package could be conceivably be consumed by one person in a single sitting. This has not been required until now, where the serving size for a soft drink was 240mL and such containers could be marked as 2 servings, with no requirement to list added sugars.

It had long been discussed in the US that reference amounts customarily consumed per eating occasion (RACC) were outdated and no longer adequately reflected how Americans consume foods per eating occasion in real life. As alluded to with the soft drink example, typically people would consume an entire 591mL serving in one eating occasion, at odds with the 240mL that was listed as the RACC as per the legislation.

Some RACC values have increased, such as:

- Ice cream – increases from ½ cup to ⅔ cup.
- Ready to eat breakfast cereals weighing 20g to 43g per cup – increases from 30g to 40g.
- Ready to eat breakfast cereals weighing 43g or more per cup – increases from 55g to 60g.
- Soda – increases from 240mL to 360mL.
- Canned fish, shellfish or game meat – increases from 55g to 85g.

Not all RACCs have increased, however:

- Candies not otherwise specified – decreases from 40g to 30g.
- Sugar – decreases from 8g to 4g.
- Yoghurt – decreases from 225g to 170g.

These lists are non-exhaustive and are examples of some of the changes only.

### **Are These Labels As Originally Proposed?**

Changes have been made through the consultation process. Original proposals had the Daily Value percentages in a column on the left hand side of the panel. This has been removed and the Daily Value percentages stay on the right hand side as they are in the outgoing regulations.

Learn more at our USA food and Drink Labelling Course on 22<sup>nd</sup> September – go to [www.campdenbri.co.uk/training/USA-food-drink-labelling](http://www.campdenbri.co.uk/training/USA-food-drink-labelling) for details,

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