

Nutrition Labeling of Meat and Poultry Products

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It’s a pleasure to join you today to update you on our progress on nutrition labeling of meat and poultry products. Assistant Secretary Jo Ann Smith emphasized on Monday how the new nutrition labels will serve as an important tool for the public to get the information it needs to make good food choices. I’m here today to provide you with more specifics on our proposal.

It’s been just 7 months since we joined the Food and Drug Administration to issue regulatory proposals that mandate nutrition labeling for processed foods. We have been very careful to coordinate our nutrition labeling activities with those of the FDA as much as possible so that we have one set of rules governing all foods. This is important not only in the interests of the industry we regulate but in the interest of consumers, who will use the new labels.

As Mrs. Smith mentioned, the FDA regulations conform with the 1990 Nutrition Labeling and Education Act, which requires nutrition labeling on FDA-regulated foods but not on meat or poultry. Secretary Madigan, an architect of that legislation, wanted to close the gap so he asked the Food Safety and Inspection Service to issue proposed regulations to mandate nutrition labeling for processed meat and poultry products and to establish a voluntary program for fresh meat and poultry.

Since we issued the proposal, we have had a lot of activity.

--In January, FDA and USDA jointly held a public hearing to solicit views on a range of nutrition labeling issues.

--In February, we issued a supplement to the preliminary regulatory impact analysis.

--Also in February, the FSIS-USDA National Exchange for Food Labeling Education met for the first time to facilitate the exchange of information on consumer education efforts by Government, health and nutrition professionals, and industry and consumer groups.

--In March, we issued a notice to extend the implementation date for nutrition labeling by 18 months, in response to President Bush’s call for regulatory reform.

--Recognizing that the economic impact of our regulations on small businesses might be excessive, in March, we issued a supplemental proposed rule to exempt small

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business from mandatory nutrition labeling and to allow the use of data bases and recipe analyses in determining nutrient information for labels.

-- In May, we held three public forums in Kansas City, Atlanta, and San Francisco to help us define a small business exemption.

Soon, we will publish proposed regulations on labeling format and health claims. All of this activity will lead ultimately to the publication of a final rule on nutrition labeling in November. For those of you who are not familiar with our nutrition labeling proposal, I will mention just a few major points.

First, the proposal would mandate nutrition labeling for processed products such as frankfurters, soups, and entrees. Raw, single-ingredient meat and poultry products such as beef roasts and raw chicken breasts would be covered under a voluntary program. Stores would be expected to provide nutrition labeling information either on the label or in point-of-purchase materials. If we do not find an adequate degree of participation in the voluntary program, we would then consider regulations to mandate nutrition labeling for these products as well.

Second, we proposed to require the disclosure of certain nutrients and to propose voluntary disclosure for others. The following nutrients would have to be included on the label in the appropriate measurements: calories, calories from total fat, total fat, saturated fat cholesterol, total and complex carbohydrate, sugars, total dietary fiber, protein, and sodium. In addition, vitamin A, vitamin C, calcium and iron would be listed as a Percent of Daily Value, a new proposed revision of the U.S. Recommended Daily Allowances (RDA's).

Other nutrients, such as polyunsaturated fats and vitamins and minerals not included in the list of mandatory nutrients, would have to be listed on the label if a claim is made. Nutrients that fall under the voluntary disclosure list include potassium and sugar alcohols.

Third, we proposed to accept FDA's proposed revision of the U.S. RDA's. While the proposed revision would involve two new terms for regulatory purposes-- Reference Daily Intakes and Daily Reference Values, only one term, "Percent of Daily Value," would be used on the label to avoid consumer confusion.

Fourth, we proposed to require the use of common household and metric measures to declare serving sizes.

Fifth, we proposed adopting FDA definitions for descriptors such as "light," "free," and "reduced." In addition, we proposed two additional descriptors unique to meat and poultry products--"lean" and "extra-lean."

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Use of Databases

This is just a short description of key parts of the proposal. Since this conference is devoted to the topic of nutrient data bases, I wanted to spend a little time discussing the role data bases would play in the development of nutrition labels.

First, I want to emphasize that we believe the manufacturer should be responsible for ensuring the validity of the nutrient content expressed on the food label. We would expect the manufacturer to maintain records to support the nutritional values on the nutrition panel of food labels and to make this information available for review by us on request.

The nutrition labeling proposal issued in November does address the issue of databases. However, in March, we issued a supplemental proposed rule after re-examining our position on the use of data bases and recipe analyses in developing a nutrition label. The comment period on the supplemental proposal just recently closed.

Originally, we proposed to allow only direct analysis as a means of determining the nutrient values for processed meat and poultry products. However, after a review of comments we received in response to the November proposal, we decided that this requirement was an undue burden on the industry.

We are now proposing to permit companies more flexibility in determining the nutrient information on processed meat and poultry product labels. We have identified four ways the manufacturer can provide adequate documentation to support the nutrient values on the nutrition panel.

The first is direct product analysis. While this method is expensive, we expect that many manufacturers will prefer to use direct product analysis because data base values can only approximate the nutrient content of specific product samples.

A second way manufacturers can provide adequate documentation is by using data base values. While we do not plan to certify or approve data bases, we believe USDA's National Nutrient Databank is an appropriate data base to use for this purpose. We do not want to discourage the use of private data bases. However, products labeled according to data bases other than USDA's databank would be subject to review by FSIS.

Third, manufacturers could use recipe calculation to determine nutrient values on labels. Pizza is an example of a product for which a recipe calculation might make sense. Data base values for individual ingredients in the pizza could be used to calculate the final label.

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And fourth, the manufacturer could use a combination of direct product analysis, data base values, and recipe calculations to arrive at a nutrition label.

Guidelines for Reliable Use of Databases

As we review the comments received in response to the supplemental proposal, we are working to develop guidelines for the reliable use of databases. We recognize that there are some unresolved issues that need to be addressed before implementation.

First, government databases are not necessarily complete for additives and ingredients such as carrageenan used in processing. While the data is available, it is not contained in most databases.

Second, there is much variability in nutrient values for certain food products. Values in Handbook 8 represent year round values, and different brands of products are combined for generic values. These generic values may not be applicable to individual products.

Third, not all nutrients we are considering to make mandatory are contained in all databases. Some of the sugars and dietary fiber are examples.

And fourth, we are missing accurate information on the retention of nutrients such as sodium that are used during processing. The industry is now working to obtain this data, however.

We encourage you to help us with the task of developing guidelines for the use of databases in nutrition labeling. We have a lot of work ahead of us, and we can use your input.

In closing, I want to emphasize that we are still analyzing the 1,087 comments we received in response to the original proposal as well as the comments received in response to the supplemental proposal on the use of databases. Therefore, the final requirements for both the voluntary and mandatory programs are not yet set. I urge you to stay tuned for future developments.

I also want to emphasize that even though the comment period has closed, USDA is always open to good ideas. If you have some information you would like to share with us or have some concerns, please feel free to let me know. Getting input is one reason we come to meetings such as this.