



POLICY & ACTION FROM CONSUMER REPORTS

April 19, 2017

U.S. Department of Agriculture
Food Safety and Inspection Service
c/o Docket Clerk, Patriots Plaza 3
1400 Independence Avenue S.W.
Mailstop 3782, Room 8-163B
Washington, D.C. 20250-3700

Submitted via www.regulations.gov.

**Comments of Consumers Union to the
Food Safety and Inspection Service on the Proposed Rule:
Revision of the Nutrition Facts Labels for Meat and Poultry Products and
Updating Certain Reference Amounts Customarily Consumed¹
Docket No. FSIS-2014-0024**

Consumers Union, the policy and mobilization arm of Consumer Reports,² welcomes the opportunity to comment on the proposed rule by the U.S. Department of Agriculture (USDA) Food Safety and Inspection Service (FSIS) to amend the nutrition labeling requirements for meat and poultry products. We strongly support the proposed revisions—which mirror recent changes being implemented by the Food and Drug Administration (FDA) for other types of food—and urge FSIS to finalize them without delay.

The purpose of nutrition labeling is to help consumers make more informed choices about the food they might buy, and to aid consumers in making choices that support a healthy lifestyle. For this labeling to be effective, it needs to be accurate, informative, and readily understood by consumers, and it also should devote appropriate emphasis to those factors that are most important to public health. In the case of meat and poultry products, the responsibility for effective nutrition labeling falls to FSIS. We support the agency's proposed changes because the revised labels would more clearly communicate nutrition information, and better reflect the

¹ 82 Fed. Reg. 6732-6823 (Jan. 19, 2017).

² Consumers Union is the policy and mobilization arm of Consumer Reports, an independent, nonprofit organization that works side by side with consumers to create a fairer, safer, and healthier world. As the world's largest independent product-testing organization, Consumer Reports uses its more than 50 labs, auto test center, and survey research center to rate thousands of products and services annually. Founded in 1936, Consumer Reports has over 7 million subscribers to its magazine, website, and other publications.

most recent scientific research and dietary recommendations.

The proposed revisions to the Nutrition Facts panel for meat and poultry products represent the most significant changes to the label since it was first required in 1993. While there have been several technical alterations to FSIS's nutrition labeling requirements in the intervening time, and a 2010 rule extended the requirements to single-ingredient raw meat and poultry products, the agency's current proposed rule has the greatest potential to help inform consumers and improve public health of any change to FSIS nutrition labeling. At the same time, the revisions are sensible, consistent with changes already finalized by FDA, and backed by science.

Among the various revisions, there are several which we especially support, and which particularly demand that FSIS expeditiously finalize the proposed rule. Our views on these elements of the proposed rule are as follows:

- **Addition of a line for added sugars will advance public health, and the label should also reflect a percent Daily Value, as proposed by FSIS.** From 2007–2010, about 70% of Americans consumed an amount of added sugars that was more than or equal to the recommended daily limit.³ On average, Americans have consumed between 16 and 23 teaspoons (about 270 to 370 calories' worth) of added sugars per day, according to National Health and Nutrition Examination Survey (NHANES) data and USDA average per-capita loss-adjusted food availability data, though consumption has declined modestly in the last several years.^{4 5 6}

Excessive added sugars intake increases the risk of obesity, diabetes, cardiovascular disease, and metabolic syndrome.^{7 8 9} An additional concern is that the higher that diets are in added sugars, the lower they are in a variety of vitamins and minerals, including calcium, vitamin A, iron, and zinc.¹⁰ Consuming foods high in added sugars makes it

³ U.S. Department of Agriculture and U.S. Department of Health and Human Services, *Dietary Guidelines for Americans, 2015-2020*. 8th Edition, Washington, D.C.: 2015. Figure 2-1. Available at health.gov/dietaryguidelines/2015/guidelines/chapter-2/current-eating-patterns-in-the-united-states.

⁴ What We Eat in America, NHANES 2007-2010 for average intakes by age-sex group.

⁵ U.S. Department of Agriculture Economic Research Service. (2016). Food Availability (Per Capita) Data System. Available at www.ers.usda.gov/data-products/food-availability-per-capita-data-system/food-availability-per-capita-data-system/#Loss-Adjusted-Food-Availability.

⁶ Welsh JA, Sharma AJ, Grellinger L, et al. (2011). Consumption of added sugars is decreasing in the United States. *Am J Clin Nutr*, 94(3): 726-734.

⁷ Malik VS, Popkin BM, Bray GA, et al. "Sugar-sweetened beverages, obesity, type 2 diabetes mellitus, and cardiovascular disease risk," *Circulation* 2010, vol. 121, pp. 1356-64.

⁸ Malik VS, Popkin BM, Bray GA, et al. "Sugar-sweetened beverages and risk of metabolic syndrome and type 2 diabetes: a meta-analysis," *Diabetes Care* 2010, vol. 33, pp. 2477-83.

⁹ Te Morenga L, Mallard S, Mann J. Dietary sugars and body weight: systematic review and meta-analyses of randomised controlled trials and cohort studies. *BMJ* 2012;345:e7492. doi: 10.1136/bmj.e7492.

¹⁰ Marriott BP, et al. "Intake of added sugars and selected nutrients in the United States, National Health and Nutrition Examination Survey (NHANES) 2003–2006," *Crit Rev Food Sci Nutr* 2010, vol. 50, pp. 228-58.

difficult to meet nutrient needs and stay within calorie limits. Ultimately, Americans are unlikely to achieve a nutrient-dense, health-promoting diet if they consume the current average intake level of added sugars.

The current nutrition label does not require the disclosure of information regarding added sugars, despite the fact that consumers need such information to help them eat in accordance with one of key recommendations of federal Dietary Guidelines—namely, to reduce intake of calories from added sugars to less than 10% of calories per day.¹¹ Currently, some information regarding added sugars can be found in ingredient labels, but the exact amounts are not always disclosed on food packages. In reading ingredient labels, consumers may not know all of the forms of added sugar that can be in a food, and they may not understand that ingredients are listed in order of predominance. Listing added sugars on the Nutrition Facts panel would provide vital information on the amount of added sugars in a food and help consumers eat a lower quantity of added sugars.

In addition, percent Daily Values are an essential tool for consumer comprehension and use of nutrition information, and we strongly support FSIS’s proposal to include one for added sugars on the revised Nutrition Facts panel. Without a Daily Value for added sugars, consumers could compare the relative amounts of added sugars among products, but would not necessarily be able to consider the amount of added sugars in a product in the context of their overall daily diets. Consumers might see a number next to added sugars and have no idea whether it is a high or low level. Including a Daily Value is essential to ensuring that consumers have actionable information and can be successful in reducing their consumption of added sugars and the risk of potential adverse health effects of excessive sugars intake.

- **We strongly support FSIS’s proposal to increase the prominence of the calorie declaration.** To support consumers in selecting, preparing, and consuming foods and beverages with the appropriate number of calories to meet their needs for weight management, consumers must be able to easily see and use the number of calories in a serving of a particular food or beverage. Therefore, we strongly support the proposal to increase the type size for both the “Calories” heading and the numerical value and to require that the information be highlighted in bold or extra bold type.

According to the Centers for Disease Control and Prevention,¹² being overweight or obese increases the risk for many of the leading causes of death, including heart disease and stroke, several types of cancer, diabetes, and other conditions, including high blood pressure, high cholesterol, liver disease, sleep apnea, osteoarthritis, and gynecological problems. Despite the fact that calorie information has been included on the Nutrition Facts label since its inception, it often has not been displayed prominently. Instead, the

¹¹ U.S. Department of Agriculture and U.S. Department of Health and Human Services, *Dietary Guidelines for Americans, 2015-2020*. 8th Edition, Washington, D.C.: 2015.

¹² Centers for Disease Control and Prevention. The Health Effects of Overweight and Obesity. June 5, 2015. Available at www.cdc.gov/healthyweight/effects/index.html.

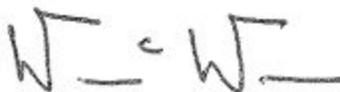
information has been shown in the same type size as the levels of cholesterol, sodium, and several other nutrients. While this other information is important, information on calories is particularly important considering the prevalence of obesity and the resulting diseases, disabilities, and costs.

- **We support the proposal to update certain Reference Amounts Customarily Consumed (RACCs) to reflect recent consumption data.** Calorie information is only useful if consumers understand the amount of food or beverage that contains the specified number of calories (and other nutrients). Yet, the current RACCs for FSIS-regulated food categories are based on survey data from the 1970s and 1980s.¹³ We therefore support FSIS's proposal to update or create certain RACCs to reflect recent consumption data, align with FDA-regulated food categories, and address new foods available in the marketplace.

The proposed changes would also mean that labels would show Nutrition Facts for more realistic serving sizes of some foods. In concert with this change, it is essential for consumers to be able to easily identify and comprehend the serving size and number of servings per container. Therefore, we support increasing the prominence of declarations related to the servings per container and the serving size in a manner similar to that of the "Calories" declaration.

Thank you for consideration of our comments. We urge FSIS to finalize the revised nutrition labeling requirements without delay.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. C. Wallace', with a horizontal line underneath.

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¹³ 82 Fed. Reg. 6757 (Jan. 19, 2017).