

Nutrition Labeling of Raw Fruits, Vegetables, and Fish

Jean AT Pennington

Food and Drug Administration

The Nutrition Labeling and Education Act (NLEA) of 1990 required that the Food and Drug Administration (FDA) develop a voluntary nutrition labeling program for raw agricultural produce and raw fish. Specifically the NLEA stated that FDA should identify the 20 most frequently consumed raw fruits, vegetables, and fish consumed in the United States; develop guidelines for retailers for the nutrition labeling of these commodities; and define substantial compliance by retailers with these guidelines. Accordingly, FDA published a proposal in the Federal Register of July 2, 1991, discussing these issues, and a final rule on November 27, 1991. The final rule contained interim nutrition labeling data for the 60 commodities. Retailers displaying these data in the produce and fish sections of their establishments will be found to be in compliance with the guidelines. The information may be displayed in posters or brochures, or by other means. The NLEA specified that FDA must assess compliance of retailers with the guidelines every two years, with the first report to Congress due by May 8, 1993. If compliance is substantial, the program will remain voluntary. If compliance is not substantial, FDA must propose regulations for mandatory labeling of raw produce and/or fish. A retail establishment will be in compliance if at least 90% of the raw produce or raw fish usually offered for sale bears nutrition labeling. FDA will survey a sample of 2,000 retail stores to assess compliance and will assess raw produce separately from raw fish. Substantial compliance requires that at least 60% of the individual stores be in compliance.