



**Society for Nutrition Education**

7150 Winton Drive, Suite 300

Indianapolis, IN 46268

[www.sne.org](http://www.sne.org)

Division of Dockets Management (HFA-305)  
Food and Drug Administration  
5630 Fishers Lane  
Room 1061  
Rockville, MD 20852

RE: Docket No. 2004N-0463 Food Labeling; Prominence of Calories (70 FR 17008);  
Docket No. 2004N-0456 Food Labeling: Serving sizes of products that can  
reasonably be consumed at one eating occasion; updating of reference amounts  
customarily consumed; approaches for recommending smaller portion sizes (70  
FR 17010)

Dear Sir or Madam:

The Society for Nutrition Education (SNE) respectfully submits comments to the Food and Drug Administration (FDA) on the above Advance Notices of Proposed Rulemaking (ANPRM) on calories and serving sizes related to food and nutrition labeling.

SNE is an international organization of nutrition education professionals who are dedicated to promoting healthful sustainable food choices and who share a vision of healthy people in healthy communities. Our members conduct research in education, behavior, and communication; develop and disseminate innovative nutrition education strategies; and communicate information on food, nutrition, and health issues to students, professionals, policy makers, and the public.

SNE believes that the Agency has put forward a thorough, yet very complex set of questions regarding nutrition labeling of calories and serving size. As an organization dedicated to nutrition education and behavior change, our comments reflect that dimension of FDA's questions about calories and serving size.

We urge the FDA to:

1. Conduct comprehensive consumer research to explore the options outlined in the ANPRMs.
2. Ensure that the rulemaking timeline and process take into account the need for public access to the most recent consumption data, NHANES 2001-2002, as well as consumer research foundation for the *2005 Dietary Guidelines, MyPyramid*, and FDA's consumer studies as part of its *Calories Count* effort, to enable informed public comment.

3. Advocate renewed and enhanced commitment to nutrition education, not just food label information, across government and among public health and education professionals and organizations, consumer groups, and the food, beverage, and restaurant industries.

As never before, the Nutrition Facts panel on food labels is a vital tool to provide consumers with information to select foods for healthful diets and lifestyles. Along with the recently released *2005 Dietary Guidelines for Americans* and USDA's new *MyPyramid* food guidance system, the food label and Nutrition Facts panel is part of public guidance, educational messages, and information tools designed to help build healthful diets and lifestyles with goals toward improved overall health, obesity prevention, and weight management.

Moving forward, the food label (and Nutrition Facts panel) will gain importance as an information tool in guiding consumers to select foods to meet *MyPyramid* food patterns and achieve *Dietary Guidelines*. Further, the *2005 Dietary Guidelines* and *MyPyramid* now use recommended quantities of food per day in household measurements (cups and ounce equivalents) in food groupings across a range of calorie requirements and has stopped using servings. SNE is pleased that prior differences between Food Guide Pyramid servings and labeled servings no longer exist. However, this elevates the importance of how to use nutrition labeling information within an overall education system about dietary and food guidance toward healthful lifestyles.

Because of the importance of effective information and education to motivate consumers toward behavior change, a thorough understanding of current food consumption patterns as well as use of label information is required to adequately respond to the ANPRM questions. Unfortunately, few or no accessible data exist upon which to evaluate the ideas and potential options for which FDA desires comment. Full details of the consumer research foundation for the *2005 Dietary Guidelines*, *MyPyramid*, and FDA's consumer studies as part of its *Calories Count* effort are not yet available for public review and comment. FDA also relies on data from the 2001-2002 National Health and Nutrition Examination Survey (NHANES), but summary tables are not publicly available to determine what consumers are most currently consuming—critical data to review to respond to the ANPRM questions. Given SNE is an evidence-based organization, it is inappropriate for the organization to submit comments based on personal or group opinion with limited access to current data on both food consumption and use of and performance with food and nutrition labeling information. Instead, SNE urges FDA to initiate a comprehensive consumer research activity to explore the options outlined in the ANPRMs. Without a clear understanding of consumer motivation for behavior change, food label changes may lead to unintended consequences, such as over-reliance on calorie information at the expense of nutrient information. Yet, the *2005 Dietary Guidelines* and *MyPyramid* are clear that consumers should “Get the most nutrition out of your calories.”

Last, these questions miss asking about what is needed for the "E" (education) in the NLEA (Nutrition Labeling and Education Act). Education about calories, serving sizes,

and portions is sorely needed, but that is an adjunct to and apart from nutrition labeling. Education will be critical to address many of these issues as the public are consuming both labeled foods and foods prepared at home from scratch and home gardens, social and retail locations where calorie or recommended portion information is not available.

Given the importance of broad public education and individual counseling, SNE believes that consumer behavior change will only result with coordinated government commitment to public education about diet, physical activity, and health, in addition to label information. Renewed commitment will be necessary to support education about healthful lifestyles that is required to meet the goals of the *2005 Dietary Guidelines* and *MyPyramid* recommendations. Education should be advanced across government (DHHS, USDA, ED at the federal level, with adequate funding at the state and local levels) and encouraged among public health and education professionals and organizations, consumer groups, and the food, beverage, and restaurant industries. This is critically important when American families are purchasing and consuming fresh and packaged foods and beverages; foods from farmers markets, community and personal gardens; and foods from quick service and a variety of other restaurants and retail or institutional food establishments. The food label and Nutrition Facts panel alone cannot meet Americans' need for education to motivate behavior change.

Thank you for this opportunity to provide comments. Any comments or questions can be referred to Mary Ann Passi, Executive Director, Society for Nutrition Education at 1-800-235-6690.

Sincerely,

A handwritten signature in cursive script that reads "Elizabeth Crockett".

Elizabeth Crockett, PhD, RD, CDN  
President  
Society for Nutrition Education