

# The Revised Nutrition Facts Panel and Update on Labeling of Foods from Genetically Engineered Plants

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January 22, 2016 Suzie Trigg

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**PRACTICES** Life Sciences, FDA Regulatory and Compliance, Food, Beverage and Restaurant, Healthcare and Life Sciences

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## FDA's Proposed Changes to the NFP – Compliance Date

In March 2014 and July 2015, the FDA proposed rules to update the Nutrition Facts Panel (“NFP”).

In January 2016, Dr. Stephen Ostroff wrote that “when finalized,” the changes will give Americans updated nutrition information, reflecting the most current nutrition science.

- NLEA of 1990 gave FDA the authority to require nutrition labeling
- Final regulation for the Nutrition Facts label issued in 1993 and effective in 1994
- Proposed updates issued in 2014; expected to be final in 2016, effective within 60 days, with 2 years for implementation

The FDA is currently considering all comments and is expected to issue a final rule in 2016.

## Timing Barriers

Once the FDA releases a final rule, open issues are likely to remain, such as:

- Revised standards for product claims, triggering a separate rulemaking process
- If the dietary fiber definition remains as proposed by the FDA, without a list of grandfathered ingredients, whether a particular ingredient may be declared as dietary fiber may depend upon the FDA’s time to respond to industry
  - BUT the FDA has stated that its intent is to be “forward thinking” and “run a number of these substances through the process” in advance to avoid the timing issue.
- Continued changing standards within 2 year implementation period could create even more challenges for manufacturers, and significant additional costs

*To view the full presentation, click the PDF linked below.*

[The-Revised-Nutrition-Facts-Panel.pdf](#)