

Carbohydrate Labeling Statements

[This is an interim policy statement and may be withdrawn or modified if information is received by FSIS that shows that significant consumer confusion exists because of the use of various carbohydrate statements.]

There are an increasing number of carbohydrate-restricted dietary and lifestyle plans available to consumers today. Most of the plans focus on limiting total carbohydrates and certain types of carbohydrates, e.g., simple sugars. Manufacturers of meat and poultry products have expressed growing interest in making carbohydrate-related claims and statements on the labeling of meat and poultry products to meet consumers needs in making food choices that are consistent with these dietary approaches. To-date, the Food Safety and Inspection Service (FSIS) has permitted factual statements of the number of grams of total carbohydrates per serving to be included (outside of the Nutrition Facts panel) on the labeling of meat and poultry products. However, the nutrition labeling regulations in Title 9, Code of Federal Regulations (9 CFR), Subpart B, Section 317.300 317.400, for meat products, and Subpart Y, Sections 381.400 381.500, for poultry products, clearly state that claims that, expressly or by implication, characterize the level of a nutrient, may not be made on the labeling of a meat or poultry product unless the claim is made in accordance with the nutrition labeling regulations. Because there are no existing regulations permitting the use of carbohydrate claims on foods governed by the FSIS, labeling of meat and poultry products bearing expressed carbohydrate claims, including, but not limited to, Low Carbohydrate, Lower Carbohydrate, and Carb Free, cannot be approved. Likewise, labeling for meat and poultry products that bears claims that imply that the level of carbohydrates in a product are low or place significance on a specific level of carbohydrates, including, but not limited to, Only X grams Carbs, Under X grams of Carbohydrates, and Just X grams Carbs cannot be approved. Similarly, trademarked uses of such phrases on labeling cannot be approved with the exception of the use of a company name in the signature line of a product label, provided that the signature line is normally placed and without undue prominence thus causing the use of the company name to become false or misleading.

After current further evaluation of labeling requests, the Agency has concluded that there are certain statements about carbohydrates, other than factual statements about the actual amount of carbohydrates, that may be applied to the labeling of meat and poultry products to which FSIS has no objection and that do not conflict with FSIS regulations. Statements that the Agency will not object to on any panel of the labeling of meat and poultry products include statements that do not expressly state or imply a specific level of carbohydrates, e.g., Carb Conscious and Carb Wise. FSIS will also not object to the use of carbohydrate content calculations on the labeling of meat and poultry products provided they are adequately explained on labeling for the consumer. It will also not object to terms such as Net Carbs, Effective Carbs, and Net Impact Carbs when used in a manner that is truthful and not misleading. Because there are no regulatory definitions for these terms, they must be accompanied by specific information informing the consumer of the meaning of the use of such terms on labeling and providing the calculation necessary to determine the number of carbohydrates included by the term. Furthermore, terms such as Low Carbohydrate may be used in ad copy on labeling in conjunction with terms used to describe a diet or lifestyle (not a particular food or product), provided they are used in a manner that is truthful and not misleading.

Consistent with the Agency's regulations about generic label approval, all labels bearing special statements, such as those described above, must be sent to the Agency's Labeling and Consumer Protection Staff for evaluation and approval before use.

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