***Appendix (to make available online). Main policy points: Nutrition labeling of standard menu items in covered establishments***

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| **SECTION** | **ITEM** | **PROPOSED RULE** | **FINAL RULE** |
| **Definitions** | **Covered Establishment** | A restaurant or similar retail food establishment that is a part of a chain with 20 or more locations doing business under the same name (regardless of the type of ownership, e.g., individual franchises) and offering for sale of substantially the same menu items. | [Clarified to include] bakeries, cafeterias, coffee shops, convenience stores, delicatessens, food service facilities within entertainment venues (e.g. amusement parks, bowling alleys, movie theatres), food service vendors (e.g. ice cream shops, mall cookie counters), food take-out and/or delivery establishments (e.g. pizza take-out), grocery stores, retail confectionary stores, superstores, and service restaurants. |
| **Requirements for nutrition labeling for food sold** | **Applicability** | Applies to standard menu items in covered establishments. Does not apply to alcoholic beverages, condiments for general use, temporary menu items, custom orders, food that is part of a customary market test, self-service food, or food on display that is offered for less than 60 days per calendar year or 90 consecutive days to test consumer acceptance. | [Clarified] Exempting only alcoholic beverages that are foods on display (e.g. ordered at bar). Must include calorie listing if the alcoholic beverage is a standard menu item listed on a menu or menu board. |
|  | **Menu Board Calorie Declaration** | Specifications for number of calories listed, calorie increments, using “calories” or “cal,” and calorie declaration for variable menu items (i.e. calories per flavor or variety). | [Added] Specifications for declaring calories for variable menu items with added toppings (e.g. pizza, ice cream), combination meals, and beverages. Specifies the format for declaring calorie ranges. |
|  | **Calorie Statement** | Must post this statement prominently on menus and menu boards: “2,000 calories a day is used for general nutrition advice, but calorie needs vary.” | [Added] For menus targeted to children, this statement may be used instead: ‘‘1,200 to 1,400 calories a day is used for general nutrition advice for children ages 4 to 8 years, but calorie needs vary.’’; or ‘‘1,200 to 1,400 calories a day is used for general nutrition advice for children ages 4 to 8 years and 1,400 to 2,000 calories a day for children ages 9 to 13 years, but calorie needs vary.’’ |
|  | **Requesting Calorie Information** | Must post this statement on menus: “Additional nutrition information available upon request.” | [Same overall requisite, formatting clarifications] |
|  | **Written Nutrition Information** | Nutrition information must be readily available in written form for all standard menu items: total calories, calories from fat, total fat, saturated fat, trans fat, cholesterol, sodium, total carbohydrate, dietary fiber, sugars, protein. May exclude nutrients present in insignificant amounts, with the statement “Not a significant source of \_\_\_\_\_.” Must include nutrition information per topping or flavor. Information must be provided upon request on the premises. | [Added] Specified format requirements for presenting nutrition information for toppings (e.g. pizza toppings). |
|  | **Self-Service or Food on Display** | Calories must be displayed per food item or per serving/serving unit. Specifications for calorie increments, format, and declaring calories for self-service beverages. Must include calorie statement(s), and provide nutrition information in accessible written form. | [Same overall requisite, formatting clarifications] |
| **Determining Nutrition Content** | **Declaring Nutrients** | Nutrient values may be determined using nutrient databases, cookbooks, lab analyses, or other means (listed). Nutrient declarations must adhere to section 403(a) of the Federal Food, Drug and Cosmetic Act. | [Removed required adherence to 403(a) Federal Food, Drug and Cosmetic Act] [Added] Nutrient declaration must be accurate and consistent. Covered establishments must ensure that food preparation methods adhere to factors that reflect the claimed nutrient values. |
|  | **FDA Reporting** | Covered establishments must provide information explaining the methods of data used to determine nutrient valued. Required information includes name of source, recipe, nutrient value list, methodology description, and a signed and dated statement by a responsible individual. | [Same overall requisite, minor clarifications] |
| **Voluntary compliance** | **Applicability and Registration** | Establishments may voluntarily register to comply with the requirements. The procedures for registration are detailed. | [Same overall requisite, updated addresses and website links for registration] |