

## MENU LABELING



### THE ISSUE

The restaurant industry is preparing for the federal menu-labeling law that will require many restaurant establishments to post calories on menus and menu boards and make other nutrition information available to guests on request.

### THE SOLUTION

The National Restaurant Association has worked to ensure a smooth transition for restaurants and consumers alike as the menu-labeling requirement moves toward implementation.

### CONTACT

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## Federal Menu Labeling Standard

Congress enacted the federal menu-labeling law in 2010 that requires restaurants and similar retail food establishments that are part of a chain of 20 or more locations to add calorie data to menus and make other information available to guests on request. Covers restaurants and similar retail food establishments that are part of a company with 20 or more locations and offer for sale substantially the same menu items.

The National Restaurant Association and our members support five principles:

- **Federal Preemption** - preempts more than twenty varying state and local requirements.
- **Legal Liability Protection** - Offers legal protections to restaurants that can show a “reasonable basis” for the nutrition information they provide, with significant flexibility in the “reasonable basis” standard.
- **Similar Retail Food Establishments** - Levels the playing field by ensuring that all entities that serve restaurant-type food, including convenience and grocery stores, are covered by the law’s requirements.
- **Small Business Protection** - Provides a mechanism for smaller businesses to voluntarily come under the law’s legal and preemption protections.
- **Flexibility** - Provides guidance on how to label nutrition information and where information should be in a restaurant.

Menu labeling is scheduled to take effect on May 7, 2018. In November 2017, FDA issued new guidance regarding menu labeling addressing pending questions and issues about the law. We continue to work with our member companies and State Restaurant Associations on the industry’s approach and implementation of the law while also staying in close contact with FDA about the risk that state and local governments could try to enforce ahead of the 2018 compliance date.