

While browsing supermarket aisles, you may notice food packages bearing various claims. “Low-sodium” and “nonfat” are established terms, but relatively new phrases such as “not bioengineered,” “no antibiotics” and “natural” are appearing on produce, meat, egg, dairy and packaged products. These claims may seem like fluff meant to tempt consumers into buying products, but most food label declarations actually are tightly regulated. With new food label terms periodically emerging, consumers must be vigilant and learn claim meanings in order to make informed choices.

What is a Food Claim?

Three categories of claims can appear on food labels: A nutrient content claim refers to the amount of nutrients within the food, such as “low-fat” or “rich in vitamin C.” Nutrient content claims have a multitude of rules; for example, the font size of a claim can be no larger than two times the name of the product. This type of claim usually addresses sugar, sodium, cholesterol, fat or calories.

A health claim suggests a correlation between a food and a health-related condition, such as heart disease. This type of claim can include a brand name that incorporates the word “heart” or heart symbols on a product. Health claims undergo intense scrutiny and must pass a review of scientific evidence. Twelve health claims are approved by the U.S. Food and Drug Administration: calcium, vitamin D and osteoporosis; sodium and hypertension; dietary fat and cancer; saturated fat, cholesterol and heart disease; fiber-containing grain products, fruits, vegetables and cancer;

THE LOWDOWN ON PACKAGE PROMISES

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fiber-containing grains, fruits, vegetables and heart disease; fruits, vegetables and cancer; folic acid and neural tube defects; non-cariogenic carbohydrate sweeteners and dental caries; soluble fiber from certain foods and heart disease; soy protein and heart disease; and stanols/sterols and heart disease.

Structure or function claims often appear on food, dietary supplement and drug labels. They describe the role a nutrient plays on a physiological function, such as “fiber keeps you regular,” “vitamin A protects your eyes” or “calcium builds strong bones.” Manufacturers must submit the wording to the FDA and include a disclaimer stating the FDA has not evaluated the claims.

In the past, food label claims referred only to what was inside the food. Now, food labels cite how the food was raised, grown or processed, whether or not it is “healthy” and if the



Decoding Food Label CLAIMS

food contains any noteworthy components. Here's a deeper look at some newer and more complicated food label terms.

No antibiotics or raised without antibiotics: Regulated by the United States Department of Agriculture, this term is only used on red meat, poultry and egg packages. To add the "no antibiotics" label, producers must provide documentation indicating the animal was raised without the use of antibiotics. Milk from cows treated with antibiotics cannot be sold, so milk products should never display the "no antibiotics" claim. In fact, the FDA tests every truck of milk that arrives for processing to ensure it does not contain any antibiotic residue and is fit for human consumption.

No hormones added or no hormones administered. Hormone usage varies based on the type of animal and is regulated by the USDA. The phrase "no hormones administered" may appear on a beef label if the producer can demonstrate that no hormones were used to raise the cattle. Pigs and egg-laying hens are prohibited from receiving hormones; therefore, "no hormones added" cannot be displayed on pork and poultry products, unless it is followed by "federal regulations prohibit the use of hormones."

Organic. According to the USDA, there are four terms for organic food products:

- "100 percent organic" can appear on any product that contains 100-percent organic ingredients (excluding salt and water). The principal display panel (packaging portion most visible to customers at time of purchase) may carry the USDA organic seal or "100 percent organic" claim.
- "Organic" may be displayed on any product that contains a minimum of 95 percent organic ingredients (excluding salt and water). Up to 5 percent of the ingredients may be non-organic products that are not commercially available as organic. Foods with an "organic" label may include the USDA organic seal or "organic" claim.
- "Made with organic ___" may be used on a product that contains at least 70 percent organically produced ingredients (excluding salt and water). These products may state "made with organic ___" on the principal display panel and list up to three ingredients or ingredient categories. They cannot bear the USDA organic seal.
- Products containing less than 70 percent organic ingredients may list organic ingredients on the information panel. These foods cannot display the USDA organic seal or the word "organic" anywhere on the principal display panel.

WHO OVERSEES WHAT IN THE FOOD CLAIMS WORLD?

FDA: Food labels; dietary supplements, bottled water, food additives, infant formulas and all non-USDA-regulated food products including mixed-food products containing meat, poultry and eggs.

USDA: Organic program, all commodity board marketing, antibiotic and hormone use.

USDA's Food Safety and Inspection Service is the agency responsible for ensuring the truthfulness and accuracy in labeling of meat, poultry and certain egg products.

FTC: Food advertising, marketing and endorsements, including print, online, social media and television.

GMO claims. Short for genetically modified organism, GMO labels are monitored by the FDA and may be present on foods produced without bioengineering. Manufacturers must be truthful and not mislead when using this label. Other terms deemed acceptable by the FDA:

- "Not bioengineered."
- "Not genetically engineered."
- "Not genetically modified through the use of modern biotechnology."
- "We do not use ingredients that were produced using modern biotechnology."

"Not genetically modified" and claims using the acronym "GMO" are sometimes used by manufacturers; the FDA is not currently taking enforcement action against these terms unless they are found to be false or misleading.

Natural. The FDA recently asked consumers to provide input on their opinion and understanding of the term "natural." Although a final ruling on the term's meaning has not been reached, the FDA temporarily defines "natural" as having nothing artificial or synthetic (including all color additives) added to the food. This term is not intended to address pesticides, food manufacturing techniques such as pasteurization, or the nutritional adequacy of a food.

Good source or excellent source. If a food contains 10 percent to 19 percent of the daily value of a certain nutrient, it is considered a "good source." The terms "contains" or "provides" are interchangeable with "good source." An "excellent source" claim may be placed on a food that has at least 20 percent of the daily value of a certain nutrient. This term can be replaced by "high in" or "rich in." A nutrient that does not have a recommended daily intake, such as omega-3 fatty acids, cannot carry these claims.



- **Low-cholesterol:** 20 milligrams or less per serving and only when a food contains 2 grams or less of saturated fat per serving
- **Low-calorie:** 40 calories or less per serving

Free. Added to many food packages, the term “free” is regulated by the FDA and means the food lacks a perceived negative quality. Here are three examples:

- **Fat-free:** a food that contains less than 0.5 grams of fat per serving
- **Sugar-free:** a food that has less than 0.5 grams of sugars per serving
- **Gluten-free:** a food comprised of less than 20 parts per million of gluten. This rule also applies to the terms “no gluten,” “free of gluten” and “without gluten.”

Healthy. For the first time in 20 years, the FDA is officially re-evaluating the definition of the word “healthy” — particularly its position on fat, stating “the most recent public health recommendations now focus on type of fat, rather than amount of fat.” Manufacturers may now use “healthy” on labels if their foods (1) are not low in total fat, but have a fat profile makeup of predominantly monounsaturated and polyunsaturated fats, or (2) contain at least 10 percent of the daily value of potassium or vitamin D.

Light or lite. For foods with 50 percent or more of their calories coming from fat, either spelling can be used if the fat content is cut by at least half as compared to a standard or original version of the food. A food that derives less than 50 percent of its calories from fat can be labeled “light” or “lite” if its total amount of calories is decreased by at least 33.3 percent or its fat content is reduced by at least 50 percent compared to a standard or original version. The claim should be near a statement identifying the reference food and percent or fraction that calories and fat were reduced.

Low. The claim “low” can refer to calories, total fat, saturated fat, sugars or cholesterol. It may appear in the following ways for individual servings (values vary for main dishes and meals):

- **Low-fat:** 3 grams or less per serving
- **Low-saturated fat:** 1 gram or less per serving, with no more than 15 percent of calories coming from saturated fat
- **Low-sodium:** 140 milligrams or less per serving
- **Very low sodium:** 35 milligrams or less per serving

Food Marketing Terms

While the FDA and USDA enforce many food labeling laws, the Federal Trade Commission oversees food advertising and marketing. The Food Advertising Enforcement Policy Statement, released by the FTC in 1994, specifies guidelines for advertising on food packages. Rather than identify appropriate and inappropriate terms, the FTC prohibits “deceptive” advertising claims that contain misleading material or an omission of fact. Specifically, it is illegal to make a nutrition or health benefit claim unless the advertiser has sufficient evidence to substantiate it. Because there is no list of “approved” and “unapproved” claims, food advertising terms are murky and difficult to identify.

There are several false advertising practices meant to confuse consumers, such as:

- “Puffing” is using meaningless and unsubstantiated terms to exaggerate a product’s worth. These claims often are based on opinion rather than fact, such as “New York’s Best Pizza” or “World’s Greatest Coffee.”
- Incomplete comparisons identify a product as being the best without comparing it to another product. For example, some companies claim they are “better than the leading brand” without identifying the leading brand.

Buyer beware if you see these types of false advertising on your favorite products.

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