

ConsumersUnion®

POLICY & ACTION FROM CONSUMER REPORTS

February 6, 2018

U.S. House of Representatives
Washington, D.C. 20515

Dear Representative:

Consumers Union, the advocacy division of Consumer Reports, urges you to **vote no** on **H.R. 772**, a bill that would hinder consumers' ability to make their own, informed nutrition choices when eating out. The bill would weaken a sensible, long-considered, and flexible rule by the Food and Drug Administration (FDA) requiring chain food retailers to provide consumers with calorie counts that they can readily use.

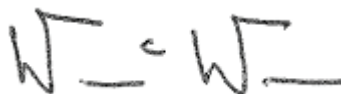
Nearly eight years ago, Congress concluded that it would serve consumers and public health for standard food and beverage items on menus to come with calorie information. It was a wise decision: national surveys show that more than 80% of consumers want chains to provide calorie information on menus and menu boards, and studies have shown that consumers use this information when it is available to them.¹ A variety of restaurants, supermarkets, convenience stores, and other chains already are successfully providing this information in the marketplace.²

Far from being the "common sense" approach to menu labeling that its sponsors say it is, H.R. 772 would play favorites, poke holes in a rule that has already been the subject of significant debate and FDA guidance, and make it impossible for consumers to compare calorie information across chain restaurants.³ The bill would carve out pizza restaurants and other particular businesses from in-restaurant menu labeling, and permit food retailers to use arbitrary serving sizes to obscure the total calorie content of an item on the menu. The bill also would let supermarkets and convenience stores hide calorie information in less-visible locations than currently required.

Consumers deserve access to information that will help them make healthier food and beverage choices when they eat away from home. They should receive this information in a clear, standard format that does not confuse or mislead them. With Americans consuming about one-third of their calories from food prepared away from home,⁴ having strong menu labeling standards is an important way to help them make informed decisions that could impact their health.

We urge you to support consumers and public health and **vote no** on **H.R. 772**.

Sincerely,



William Wallace
Senior Policy Analyst
Consumers Union

¹ Joint letter from the Center for Science in the Public Interest, Consumers Union, and more than 40 other groups to the FDA supporting required calorie labeling by chain food retailers (Aug. 2, 2017) (online at consumersunion.org/research/joint-letter-to-fda-in-support-of-required-calorie-labeling-by-restaurants-and-other-food-retailers).

² “Calorie counts on menus are going to be mandatory in 2018,” Vox (Nov. 20, 2017) (online at www.vox.com/science-and-health/2017/11/10/16623590/calorie-count-menus-mandatory-2018).

³ “Trump's FDA cooking up new nutrition policy initiative,” Politico (Nov. 7, 2017) (online at www.politico.com/story/2017/11/07/fda-head-says-trump-creating-broader-nutrition-policy-244650).

⁴ Lin B-H and Guthrie J, *Nutritional Quality of Food Prepared at Home and Away from Home, 1977-2008.*, U.S. Department of Agriculture Economic Research Service (Dec. 2012) (online at www.ers.usda.gov/webdocs/publications/43698/34514_summaryeib105.pdf?v=41270).