



UNITED STATES GENERAL ACCOUNTING OFFICE  
WASHINGTON, D.C. 20548

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HUMAN RESOURCES  
DIVISION

B-198417

APRIL 21, 1980

Hearing Clerk (HFA-305)  
Food and Drug Administration  
Room 4-65  
5600 Fishers Lane  
Rockville, Maryland 20857

Subject: [Comments on Proposed Food-Labeling  
Regulations] (CED-80-89)

We have reviewed the food-labeling positions proposed by the Departments of Agriculture and Health, Education, and Welfare and the Federal Trade Commission in an advance notice of proposed rulemaking published in the Federal Register December 21, 1979 (Docket Number 78N-0158). We are providing our analysis of these proposals in response to the agencies' request for comments.

In the notice of proposed rulemaking, the agencies state that current food-labeling laws and regulations-- established on a piecemeal basis over the last 74 years-- are complex and sometimes duplicative and/or inconsistent. To correct this situation, the agencies set out to develop an overall labeling strategy that would give consumers the information they want and need to make informed food choices. The agencies intend to begin immediately implementing new regulations and drafting new laws, unless public comment presents compelling arguments or substantial new evidence against the proposals. The agencies expect their new labeling policies to be in full force within the next 2 years.

We commend the Federal agencies for their original objective of developing an overall food information strategy to improve the public's understanding about the food it buys and eats. We believe this project's objective, if met, will benefit the American public's diet and health.



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Our evaluation, however, indicates that the proposed regulations will fall short of the agencies' original objectives as they do not constitute a comprehensive strategy for informing the public about food and nutrition. We believe such a strategy should be developed before proposed food-labeling regulations are issued. Furthermore, this strategy should emphasize consumer education rather than industry regulation: While the agencies have generated needed debate and increased consumer awareness, more must be done. To succeed, the project must be accepted by everyone affected. For this reason, we believe the strategy should be developed cooperatively by the many parties with knowledge of food and nutrition.

NEED TO DEVELOP A MORE COMPREHENSIVE  
STRATEGY TO INFORM THE PUBLIC ABOUT  
FOOD

The Federal agencies' food-labeling proposals focus on providing consumers with information by requiring, through regulation, that certain data be printed on food labels. This approach is limited and does not carry out the agencies' original intentions to develop and implement a total food information strategy.

Our analysis indicates that development of a comprehensive strategy depends upon first determining:

- What information on diet is critical to proper health maintenance, product quality, consumer preference, and cost-effective food choices.
- What are the best methods to educate the consumer in effectively using this information.

Without an effective food information strategy that answers these questions, both industry and consumers will be short-changed: consumers will not have enough information to make informed choices, and industry may not be able to plan effectively for the future because it may not be certain of what is required.

Originally the Federal agencies envisioned an overall strategy to improve the public's confidence and understanding about the food it buys and eats. Now, however, they support the piecemeal implementation of a series of regulations that require certain information to be placed on food labels without proper assurance the information is needed or can be used by consumers. It appears unlikely the agencies will be able to gain adequate support for their tentative positions on food labeling because their focus is too narrow and because of the adversary spirit that typically results from imposed regulations. Instead of mutual understanding and cooperation, an atmosphere of animosity and mistrust appears to be developing between Government regulators and the food industry. For example, industry and related associations have commented that:

- Proposed regulations have considered labeling of food products as the only way of communicating with consumers without clearly demonstrating that it is the best, most feasible, and cost-effective method.
- Consumers may not need or use all the information that the agencies want to require on food labels.
- Proposed regulations do not require that information be available for fresh meat and fruits and vegetables, alcohol, and food eaten in restaurants. Yet these foods account for over 50 percent of the money Americans spend on food.
- Economic impact and feasibility studies have not been performed. Regulations that encourage change in eating habits could have a bad impact on small businesses and farmers that grow certain crops. Also, costs could exceed proposed benefits. Many Americans are concerned about regulation impacts and want them assessed before changes are made.

FOOD-LABELING PROPOSALS NEED INPUT FROM  
AND COORDINATION WITH OTHER SOURCES

The Federal agencies have succeeded in generating needed debate and increasing consumer awareness about food. The recent publication "Dietary Guidelines" is an example of Agriculture and Health, Education, and Welfare's cooperating and taking initiative to coordinate data, research findings, and nutrition messages. Also, other agencies within the Departments, such as the Public Health Service, have developed material describing a range of education and information methods that the media, government, schools, private sector, health care systems, and others could use to improve our Nation's diet and health.

We commend the agencies for their initiative and spirit of cooperation in developing this range of information. But putting the strategy into use will require the agencies to go a step further. We believe that many sources--educators, consumers, and industry officials--must have a hand in implementing the food information strategy to assure its acceptance by the public, industry, and all others affected. Without participation by these groups, a comprehensive program to inform the public about food is not likely to be developed, much less implemented.

Like the United States, several foreign countries have developed dietary and nutritional goals aimed at encouraging changes in eating habits and improving the health of their citizens. One of the countries, Sweden, has established a 10-year diet and exercise program, developed by panels composed of national and local government representatives, educators, industry officials, and consumers. The main thrust of the program is education and national promotion directed at specific segments of the population. The Swedish Government has judged early results of the program as successful in improving consumer knowledge of nutrition and the health of the general population.

CONCLUSIONS AND SUGGESTIONS

We believe that the Federal agencies' proposed food-labeling regulations should not be implemented at this time because they could result in information being placed on food labels that is not needed, used, or understood by most consumers. We are not advocating additional extensive research. Rather, we believe that existing knowledge and resources need to be brought together so that agreements and tradeoffs necessary to formulate a national food information policy or strategy can be reached and assessed.

One vehicle for formulating a national food policy would be a Presidential committee composed of members from Federal, State, and local governments; industry; consumer groups; trade associations; communication specialists, educators, researchers, and health professionals. This committee could provide guidelines to equip the consumer with useful and understandable information about food.

We believe the committee should do the following in formulating a national food policy:

- Establish and periodically update a nutrition and food data bank, through which inquiries could be made about food, nutrition, and health.
- Target information to all segments of the public, particularly those with special nutritional needs--the elderly, pregnant women, lactating mothers, children, etc. Some approaches are (1) food labeling, (2) school programs, (3) media advertisements, (4) reinforcement by the health professions, (5) point of sale leaflets, and (6) package inserts.
- Set interim and long-term goals and time frames for measuring accomplishments, adjusting approaches as needed. Market-test alternative information approaches and measure their effect.

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Thank you for the opportunity to respond to the food-labeling proposals. We hope our preliminary analysis and suggestions will be helpful to the agencies in finalizing their food-labeling regulations. If you have any questions about this letter, please call Mr. William E. Gahr, Senior Group Director, Community and Economic Development Division (202) 275-5525.

  
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Director