Food Labeling: FDA and USDA

In recent years issues in food labeling have included concerns related to nutrition, genetic modification, pesticide and/or additive use, identification of known allergens, product origin disclosure, tracking of products relative to recalls, and more. Food labels are prescribed in terms of what, where and how the information is presented. Contents of a food label must include name of product, ingredient list, nutritional information, net quantity, allergy information, and contact information (manufacture, packer, and/or distributor).

The US Food and Drug Administration (FDA): The FDA is the agency tasked with ensuring the safety of domestically consumed foods, which are produced both domestically and internationally. Food safety and labeling requirements are regulated by the Federal Food, Drug and Cosmetic Act (FFDCA) and the Fair Packaging and Labeling Act, which require a standard nutrition labeling system for all foods other than meats and poultry, approximately 80 percent of food sold in the United States. The FDA does not pre-approve producers' food labels; they establish requirements and guidance for mandated food label attributes.

The US Department of Agriculture (USDA): The Food Safety and Inspection Service (FSIS), of the USDA, are responsible for the inspections and quality standards for meat and poultry consumables. Unlike the FDA, the FSIS mandates that all labels used for meat and poultry receive pre-approval before they can be used; this amounts to about 60,000 labels per year.

A driving force behind modern food labeling concerns has been the health industry. As food science has progressed, food choices and consumption quantity have been recognized as key factors in public health. There is, however, substantial debate as to what information is appropriate and what method to communicate best serves the interests of stakeholders: consumers and producers. As new rules are contemplated, there are corresponding costs associated with education, development, implementation and enforcement.

The FDA faces challenges from decades of inadequate funding which has led to serious deficiencies in its scientific base and organizational structure and which threaten its ability to meet current and emerging regulatory responsibilities. Furthermore, the GAO (Government Accountability Office) has determined that the FDA has been challenged with a need to assess relevant evidence of claims made by companies, countered by a lack of legal authority to compel companies to provide such information. Better rulemaking and enforcement on misleading food labels by the FDA has been requested but it is a low priority because overlapping regulatory agencies are involved.

Consolidated from the LWVUS Study Materials A2 USDA-Nutrition and A-5 Food Labeling.