COVID-19

FDA Temporary Guidance

Nutrition Labeling of Certain Packaged Food
For Restaurants and Food Manufacturers
Temporary Guidance

Provides flexibility for

Nutrition Label Requirements & Packaging
Nutrition Label & Packaging Flexibility

Supports alternative distribution of food due to the public health emergency.
Restaurants and food manufacturers may have food not labeled for retail sale but may now wish to sell it at retail. What brought about FDA temporary guidance?
The FDA does not intend to object if the packaged food is not labeled with Nutrition Facts, provided that:
The Food May Not Have a Nutrition Claim

Must Have, As Applicable:

- A statement of identity
- An ingredient statement
- The name & place of the business of the food manufacturer, packer, or distributor
- The net quantity of contents
- Allergen information required by the Food Allergen Labeling & Consumer Protection Act
The FDA does not intend to object to the sale of packaged food even if it lacks a Nutrition Facts label by a food manufacturer, provided that:
The Food May Not Have a Nutrition Claim

Must Have, As Applicable:

- A statement of identity
- An ingredient statement
- The name & place of the business of the food manufacturer, packer, or distributor
- The net quantity of contents
- Allergen information required by the Food Allergen Labeling & Consumer Protection Act
If retail packaging is not available for certain products, the FDA does not intend to object to the further production of that food as it may be labeled for restaurant use.

Even if it is temporarily intended to be sold to an entity other than restaurants, until retail packaging is available.
Effective Immediately

Subject to comment according to the agency’s good guidance practices.
FDA intends to work cooperatively with manufacturers for the remainder of 2020 regarding updated Nutrition and Supplement Facts labels and will not focus on enforcement actions during this time.

FDA previously announced it would do so for the first six months following January 1, 2020 compliance date; the newest announcement extends this approach through end of 2020.
NEHA is closely monitoring developments of the COVID-19 pandemic and working to provide members and stakeholders with access to critical information and updates.


Industry Resources on the Changes to the Nutrition Facts Label

https://www.fda.gov/food/food-labeling-nutrition/industry-resources-changes-nutrition-facts-label

Food Allergen Labeling & Consumer Protection Act


Visit neha.org/just-in-time for more information and resources

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