The RD as Food
Labeling Advisor for
Food Companies



PRESENTER
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About Me

I've been writing, evaluating, analyzing and advising on food labeling for decades and I still enjoy knowing all about this part of technical food marketing communications that helps consumers figure out the facts about their food.

I've written articles about food labeling for leading industry publications, developed continuing education short courses for food manufacturers, trade and professional associations, guest lectured at major universities, presented at annual conferences and developed a series of industry-publicized webinars on specific food labeling subtopics related to product development and marketing matters - trends, positioning strategy, public health concerns and anticipated regulatory changes and legal outcomes.

I got my experience in U.S Food & Drug Administration (FDA) and Dept. of Agriculture (USDA) labeling regulations first from staff positions with major manufacturers but also through consulting work. My marketing communications background enables integrating how the food label and its required elements, optional features and associated promotion influence product and menu development and play a role in successful and effective food marketing.

After earning a Bachelor's in Medical Dietetics and becoming an RD in 1981, I spent a year in hospital work, then got a grad degree in Nutrition Communications which led to a Consumer Communications position with Kraft Foods in their Consumer Affairs department, from there I applied for an internal promotion in the Regulatory Affairs department and began working as a Labeling Compliance Specialist – 5 years on staff including Supervisor Regulatory Compliance and Project Manager before going out on my own. Eight years of self-employment led to a position establishing the Regulatory Affairs department for a Campbell's Soup spin-off company, Vlasic Foods – a year after they became Pinnade Foods I returned to consulting and advisory work.

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Learning Objectives



Recognize how a dietetics educational foundation can lead to food labeling regulations compliance work.

Explain the role RDs can play in food labeling advice.

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Why This Presentation?

- Frequent inquiries on the Academy of Nutrition and Dietetics (AND) Dietetic Practice Group (DPG) Electronic Mailing Lists (EMLs) about work in food labeling, often from nutrient analyses requests, yet there is so much more to food labeling regulations compliance
- RDNs exploring food/nutrition labeling can arise in a variety of ways—such as inquiries from the bakery or café down the street, interest in a full-time job opening or adding a consulting specialty
- Opportunities are likely to grow with menu labeling compliance and packaged foods nutrition facts label revisions
- · My path, others' paths
- · Our educational requirements can be a good foundation
- Scope of Practice v Core Competencies





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Dietetics Scope of Practice

"Scope of practice in nutrition and dietetics encompasses the range of roles, activities and regulations within which nutrition and dietetics practitioners perform. For credentialed practitioners, scope of practice is typically established within the practice act and interpreted and controlled by the agency or board that regulates the practice of the profession in a given state."



"A credentialed practitioner's individual scope of practice in nutrition and dietetics has flexible boundaries to capture the breadth of the practitioner's professional practice, which is informed by the RDN's or NDTR's education, training, credentialing, experience, and demonstrated competence."

Food and nutrition labeling regulations compliance work is within a

"Scope of Practice. Academy of Nutrition & Dietetics website. https://www.satrightero.org/practice/quality-management/scope-of-perior-accessed April 23, 2020.
"Hui K, Khan H, McCauley S, Why Do Practitioners Need to Read the Revised 2017 Scope/Standards Documents? J. Acad. Nutr. Diet. 2115;1116(7):50

dietetics scope of practice



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Dietetics Scope of Practice

Academy of Nutrition and Dietetics: Revised 2017 Scope of Practice for the Registered Dietitian Nutritionist³:

Nutrition Informatics

Use technology for recipe and menu management, perform or oversee nutrition analysis of product ingredients to comply with state and federal regulations for food labeling and restaurant menu nutrient analysis.

US Public Health Service

• Manage staff and interns; oversee foodservice operations; provide inpatient and outpatient clinical nutrition services; plan, design, and implement research; ensure food and dietary supplement label compliance; inspect food for food safety; and educate the public on nutrition, food labeling, and biologics.

³Andersen, D, et al. Academy of Nutrition and Dietetics: Revised 2017 Scope of Practice for the Resistered Dietitian Nutritionist. J. Acad. Nutr. Diet 2018; 118, (1):141-165.



Applied Food Labeling Regulations: A Core Competency for RDNs

The American Dietetic Association Foundation Knowledge and Skills and Competency Requirements for Entry-Level Dietitians: ⁴

- · Content area: Food
- Basic knowledge about: food technology, biotechnology, culinary techniques
- · Working knowledge of: food and nutrition laws, regulations,
- Demonstrated ability to: calculate and interpret nutrient composition of foods, translate nutrition needs into menus for individuals and groups, write specifications for food, apply food science knowledge to functions of ingredients in food

nerican Dietelic Association Foundation Knowledge and Skills and energy Regularements for Entry-Level Dietelians. In: Institute of a (US) Committee on Nutrition Services for Medicare Beneficiaries e of Nutrition in Maintaining Health in the Nation's Eliderly ing Coverage of Nutrition Services for the Medicare Population. Igton (DC): National Academies Press (US); 2000: Appendix E.



CORE COMPETENCIES

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Applied Food Labeling Regulations: A Core Competency for RDNs

Food & Culinary Professionals DPG

- Core competencies for registered dietitian nutritionists active or interested in food and culinary career options within the profession. $\!^{5}$
- Food laws and standards federal nutrition label requirements



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Are There Core Competencies for Food Labeling specialists?

Northeastern University, Graduate Program in Regulatory Affairs

- Working in Regulatory Affairs: Careers And Trends⁶
- "Regulatory professionals come from a variety of backgrounds; there is no one degree or career trajectory. Successful regulatory affairs professionals typically have cross-functional training in areas such as science, pharmacy, engineering, marketing, and business."
- "Over 88% of current regulatory professionals began working in a different industry before transitioning into regulatory affairs, according to the 2016 RAPS report. Most of these individuals worked first in related industries, such as research and development, manufacturing, clinical research."
- "A majority of regulatory workers earn undergraduate degrees in the disciplines of life science, clinical science, public health, or engineering, but others begin in unrelated areas, such as business, economics, or liberal arts."



Are There Core Competencies for Food Labeling specialists?

Food Labeling Regulations Compliance tends to fall under:

- "Regulatory Affairs" or "Regulatory Compliance"
- Many in food companies majored in food science or food chemistry but other basic science also
- The RDs who trained me had pursued graduate level work and post-grad experience in food science
- · Another example: RD from Gerber's
- "Become a Labeling Food Technologist: Education and Career Roadmap"

https://study.com/srticles/Become_a_Labeling_Food_Technol ogist_Education_and_Career_Roadmap.html Food_Labeling_Specialist_Sob_Description & Career Definition https://study.com/srticles/food_labeling_specialist_salary_jo_ b_description.html



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Food Labeling Overview Labeling Elements Today Dietitian SPRING SYMPOSIUM 2020

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Food Labeling Overview: Federal Government Authorities

Food & Drug Administration (FDA)

- All non-meat/poultry (unless a small percentage of it is contained)
- Includes game/wild meats
- Dietary supplements:
 - criteria for product category with specific regulations, some the same as for food labels and some very different
 - Supplement Facts
- No pre-approval process for finished food or dietary supplement product labels

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Food Labeling Overview: Federal Government Authorities

"Food & Drug Administration (FDA) has jurisdiction over 80 percent of the food supply, including seafood, dairy, and produce. The US Dept of Agriculture (USDA) regulates meat, poultry, and processed egg products, while FDA regulates all other food products."

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Food Labeling Overview: Federal Government Authorities

USDA - Food Safety & Inspection Service (FSIS)

- Meat & Poultry (excludes game and exotic meats unless under fee for inspection)
- Processed egg products, catfish
- Initial pre-approval required for product to ship from an inspected
 - Generic labeling approval now for broader range of products without FSIS submission for approval
 - Electronic submissions for approval



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Food Labeling Overview:

Federal Government **Authorities**

USDA Agricultural Marketing Service (AMS):

- For ALL (meat and non-meat) products
- Bioengineered (GMO) labeling required disclosure

Optional designations subject to regulations if

- Organic National Organic Standards Board
- Grading & Quality Standards
 Child Nutrition Labeling School Meal program (USDA-Food & Nutrition Service FNS)



Food Labeling Overview: State Authority

- · States usually adapt Federal Guidelines
- California Prop 65
- Recombinant bovine growth hormone (rBGH) and recombinant bovine somatotropin (rBST) claim labeling
- Perishable "use-by" or "sell-by" labeling
 - FDA shell eggs and proposed guidelines
 - USDA-FSIS product specific rules
- · Container Deposit Labeling

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Food Labeling Overview: Federal Government Authorities

Liquor governed under:

 Alcohol & Tobacco Tax & Trade Bureau (TTB), Dept of Treasury

But some Alcohol/Liquor is under FDA jurisdiction:

- Certain beers meet "malt beverage" definition
- Wine beverages and cider with less than 7% alcohol
- Unfermented Beverages use of the word "champagne"
- Dealcoholized wine and malt beverages labeling

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Food Labeling Overview: Amenability

Considered an extension of labeling:

- Product websites
- Product literature consumer &
- Trade sell sheets
- Point-of-Purchase/Point-of-Sale

Advertising is under the Federal Trade Commission (FTC)



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Anatomy of a Food Label

- Some labeling is required, other labeling is optional but still subject to regulations and laws if used
- Even on an FDA amenable product, some elements are under a different federal authority e.g.
 - · Required origin declaration on imported items:
 - · Customs & Border Protection for packaged foods
 - USDA-AMS for raw agricultural commodities
 - · Recently required GMO disclosure is under USDA-



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Anatomy of a Food Label

Food Labeling vs Nutrition Labeling:

- Nutrition Labeling: nutrients, nutrition-related claims
- Food Labeling: ingredient composition, quality claims ("Natural", etc.) $% \label{eq:composition}$

Menu Labeling:

- FDA only over nutrition
- Restaurants also get into quality, ingredient, origin, preparation/production claims







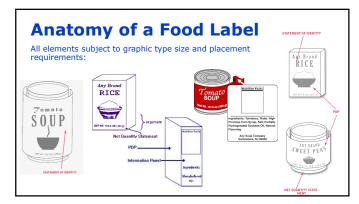
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Anatomy of a Food Label

- Minimum mandatory requirements
- Statement of Identity: common/usual name
- Ingredient List (includes allergen disclosure)
- Net Contents
- Company Name/Address: "signature line" USDA: Inspection Legend Seal Nutrition Facts: unless exempt for product
- volume and company size
 Product Specific Requirements, for example:
 Percentage of juice
- - Warning statements
 - Raw meat handling statement



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Involve a Specific Defined Nutrient Nutrient Content Nutrient Content Structure Function (can involve a botanical or herbal component) Health or Disease-Prevention Ingredient Quality or (no-nutrient) Compositional Claims Natural, Organic, No-GMO Gluten-Free, [Allergen]-Free, Lactose-Free Fresh No Preservatives No Caffeine No Artificial Flavors, Colors, Ingredients Fruit/Vegetable equivalence/amount per serving Breed (Angus), Hormones, Antibiotics, Free-Range Whole Grains amount per serving of product 3rd Party Seals, Symbols #TDVirtualSymposium

Menu Labeling: FDA as Authority for Nutrition Of	
Chain restaurants and similar retail food establishments with 20 or more locations must disclose the number of calories contained in standard items on menus and menu boards Self-service foods and display foods must show calories in close proximity and clearly associated with the standard menu item Must also provide, upon request, certain written nutrition information; nutrients are not the exact same set as currently required on the Nutrition Facts label for packaged food products	Grilled Chicken Sandwich 380 calories Fried Chicken Sandwich 570 calories Sparkling Water 0 calories Soft Drink 250 calories
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What Are You Responsible For?

- Nutrition Facts: calculations or coordinating laboratory? Values or panel format?
- Ingredient List?
- Allergen statement?
- Whole label: expected to do a complete review?
- Dietary supplements: substantiating structure-function claims or just checking compliance for wording/terms?

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	Labeling	Webinar	(s)
	General Overall Labeling	Language of Labeling	USDA v FDA
	Product Name	Name Game	
	Ingred List	Name Game	Allergen-Ingred of Avoid
	Signature Statement (company name/address)	n/a	
	Net Wt	n/a	
	Nutrition	Nutrition Labeling part 1	
	Origin	Origin	Cultural
	Claims - Ingredient/Quality	Whole Truths	
	Claims - Nutrient-based health	Nutrition Labeling part 2	
Specific			
	Nutrition		
Labeling	Carbs	Sweeter Labels (Sugar)	
Labeling	Fat	Transitioning (Trans Fat)	
	Protein	Push for Protein	
Examples	Sodium-Salt	Tasty Labels (Sodium and Flavor)	
LAGIIIPIES	Sugar	Sweeter Labels (Sugar)	
_	Vitamins Minerals	Super-Power Foods Fortification	
	Vitamins Minerals Super-Power Foods Fortification		
	Category Specific		
	Grocery Supermarket	Labeling for Retailer	
	Children's Food	Labeling for Kids Food market	
1	Product Specific		
	Dietary Supplements	Supplement Labeling	
1	Fish and Seafood Labeling	Seafood Labeling	
I	Beverages & Energy Drinks	Beverage & Caffeine Labeling	



Dietetics Core Competencies and Food Labeling Regulations Work

- Human Nutrition
- Dietary Analyses
- Nutrient Composition of Food
- · Chemistry, Biology
- Food Science



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Dietetics Scope of Practice Dietitians have always worked in food labeling regulations: FDA and USDA staff Food manufacturers Industry trade associations Commodity boards Conducted and managed clinical trials to support: Substantiation of structure-function claims Proposed or petitioned disease-prevention ("health") claims



Food Labeling Regulations Compliance Work: Comparable Skills

- Foodservice Management:

 Menu nutrient analyses

 Vendor ingredient specifications
 Public Health:

 School Meals: calculations for creditable amounts; product formulation statements
 Child & Adult Care Feeding Programs menu compliance

- Formula calculations, e.g. for tube-feedings or diabetes meal planning is similar to formula work for:
 • Ingredient list order of preponderance determination
- Compositional determinations: reconstituting concentrates; diluting strength Calculations for meeting standards of identity and food component claims, e.g. whole vegetable or fruit equivalence

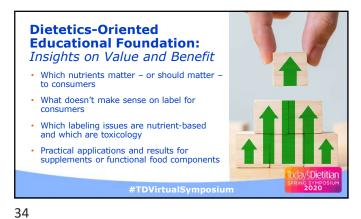
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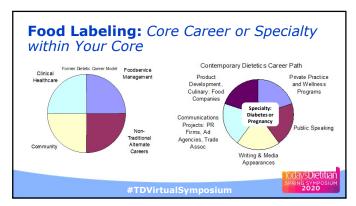
Food Labeling Regulations Advisory Work: Roles & Careers in Regulatory **Affairs**

Very detailed work:

- Research
- Regulations
- Ingredients
- Calculations for: · Recipe/formula composition
 - Nutrients amounts
 - · Ingredient proportions
- Reviewing documents and knowing what to request from suppliers
- Working with product developers, production, and manufacturing staff
- · Advising marketing and brand teams
- Providing technical/regulatory support for food law attorneys
- Staying current with regulatory revisions and "climate"

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Food Standards Modernization: Comment Period Still Open The FDA is extending for 90 days the comment period on a 2005 proposed rule to establish a set of general YOUR principles for the agency to use when considering whether to establish, revise or eliminate a food standard of identity. HERE The comment period will now end July 20, 2020. Easier than ever before to comment online and read other comments at Regulations.gov. odayś**Dietitian**

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Food Labeling for Food Manufacturers and Restaurant Chains Various ways RDs can learn about getting into food labeling regulations compliance work:

- Invite to speak at state meetings, career panels, or online presentations
- · Interview for newsletters, articles, online career blogs, etc.

- 1. Casual dining chains: restaurant menu labeling and associated nutrient analyses
- 2. Quick Service (QSR) or Fast Casual chains, e.g. Chipotle, Panera, and other chains leading the (higher profile) trend in "clean" eating
 3. Corporate headquarters positions with companies like Aramark, Sodexo, or US Foods for the supplier/distributor role in the foodservice marketplace

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	urced References for F g Regulations	ood
21 CFR Parts 101-169 - www.govinfo.gov/content/p	Food Labeling: kg/CFR-2019-title21-vol2/xml/CFR-2019-title21-vol2-part101.xml	
Compliance Policy Guides www.fda.gov/inspections-co cosmetics	s: pmpliance-enforcement-and-criminal-investigations/manual-compliance-policy-guide	es/chapter-5-food-colors-and-
Guidance for Industry: For www.fda.gov/regulatory-info	ood Labeling Guide ormation/search-fda-guidance-documents/guidance-industry-food-labeling-guide	
	dance Documents & Regulatory Information: e-documents-regulatory-information-topic-food-and-dietary-supplements/labeling-ni	utrition-guidance-documents-
	he Changes to the Nutrition Facts Label: eling-nutrition/industry-resources-changes-nutrition-facts-label	
	metic (FD&C) Act Chapter IV: Food ormation/federal-food-drug-and-cosmetic-act-fdc-act/fdc-act-chapter-iv-food	
Fair Packaging and Label https://ntrl.ntis.gov/NTRL/d	ling Manual: lashboard/searchResults/titleDetail/PB83222117.xhtml	Todavś Dietitia
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USDA-FSIS-Sourced References for Food Labeling Regulations Meat and Poulty - 9 CFR Meat - Part 317 - Labeling, Marking Devices, And Containers: www.govini.gov/contemplipsig/CFR-2017-48869-vol2-part317.xml Part 319 - Definitions And Standards Of Identity Or Composition: https://www.govini.gov/contemplipsig/CFR-2017-48869-vol2-part319.xml Poulty - Part 381: Subpert N - Labeling and Containers www.govini.gov/contemplipsig/CFR-2017-48869-vol2-part381-subpartN.xml Poulty - Part 381: Subpert N - Labeling and Containers www.govini.gov/contemplipsig/CFR-2017-48869-vol2-part381-subpartN.xml Poulty - Part 381: Subpert N - Labeling and Containers www.govini.

USDA-AMS-Sourced References for Food Labeling Regulations National Bioengineered Food Disclosure Standard www.ams.usda.gov/rules-regulations/be Country of Origin Labeling (COOL) www.ams.usda.gov/rules-regulations/co Organic Labeling www.ams.usda.gov/rules-regulations/organic/labeling Quality Grading & Inspections www.ams.usda.gov/services/grading National School Lunch Child Nutrition (CN) Labeling Program www.fins.usda.gov/cn/labeling-program #TDVirtualSymposium

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Short Courses: Basic Food Labeling - FDA Labeling Course Summary Course Overview - note: Nutrition Facts portion not yet updated to new www.accessdata.lda.gov/DRAU/Labeling/ - FDA Menu Labeling Regulation Module https://roalbavelinutise.gov/minu/ - Institute of Food Technologists (IFT) Short Course - Date TBD Summer 2020 Labeling Requirements and Implications for Foods Marketed in the U.S. www.lifexevent.org/leary/short-courses - Consumer Brands Association (formerly Grocery Manufacturers Association (GMA)) Fall Food Labeling Workshop Complying with regulatory requirements for the labeling of packaged foods October 20-22, 2020 https://consumerbrandsassociation.org/events/fall-food-labeling-workshop. - The Food Institute - U.S. Food Labeling Seminar - recordings from 2019/20 annual/blennial conference www.foodinstitute.com/cratalog/product/food-labeling-seminar-2019 - Food & Drug Law Institute (FDLT) - Food Advertising, Labeling, and Litigation Conference: For the Food and Dietary Supplement Industries October 1-2, 2020 www.ldll.org/2020/10/2020-food-advertising-labeling-and-litigation-conference/

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Short Courses: Universities Oklahoma State University - Robert M. Kerr Food and Agricultural Products Center Food Labeling Workshop - June 10-11, 2020 http://fapc.biz/workshops/foodlabeling Online Food Labeling Workshop - self-paced; 6 months to complete course https://ceatpd.okstate.edu/node/61 Michigan State University Online Food Labeling Workshop - July 2020 www.canr.msu.edu/iflr/Online-Food-Labeling-Workshop-2020/. Check the land-grant (cooperative extension) university for your state, particularly if they have a small food business start-up incubator or industry group - e.g., University of Arkansas partnered with FDA

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Degree Programs

Northeastern University College of Professional Studies - Regulatory Affairs of Food and Food Industries

"The Master of Science in Regulatory Affairs of Food and Food Industries offers in-depth theory and practical training for professionals entering or advancing in the field of regulatory compliance."

*Also have a Nutrition Entrepreneurship elective $\underline{www.northeastern.edu/online/degrees/masters-food-regulatory-affairs/curriculum.php}$

Temple University School of Pharmacy Regulatory Affairs and Quality Assurance Graduate Program

Post Master's Certificate In Food Regulatory Affairs And Quality Assurance www.temple.edu/pharmacy_qara/Certificates-Post-Master-Food-RA-and-QA.html

Northwestern University School Of Professional Studies Master's in Regulatory Compliance (nonhttps://sps.northwestern.edu/masters/regulatory-compliance/

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Food Labeling Conferences: Annually or Periodically Scheduled Focusing on Hot Issues and Including Some Basic Courses

North American Meat Institute has also held USDA-FSIS Labeling Compliance short courses https://www.meatinstitute.org/index.php?ht=d/sp/i/153338/pid/153338

Consulting groups:

Prime Label for USDA (meat & poultry) training during their annual update conf. USDA Labeling Basics June 17, 19 & 22 (three, 2-hour sessions)

EAS - Food Labeling Compliance Seminar July 21-22, 2020 https://easconsultinggroup.com/food-labeling-compliance-se

EAS - Dietary Supplement Labeling Compliance Seminar July 23-24, 2020 https://easconsultinggroup.com/dietary-supplement-labeling-compliance-seminar-april-2020/

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