

113TH CONGRESS
1ST SESSION

H. R. 3624

To direct the Commissioner of Food and Drugs to revise the Federal regulations applicable to the declaration of the trans fat content of a food on the label and in the labeling of the food when such content is less than 0.5 gram.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 22, 2013

Mr. ISRAEL introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To direct the Commissioner of Food and Drugs to revise the Federal regulations applicable to the declaration of the trans fat content of a food on the label and in the labeling of the food when such content is less than 0.5 gram.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Trans Fat Truth in
5 Labeling Act of 2013”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

1 (1) The Institute of Medicine of the National
2 Academies advises the United States Government on
3 nutritional science for use in the formation of public
4 policy, including product labeling programs.

5 (2) In 2002, the Institute of Medicine—

6 (A) issued recommended dietary reference
7 intake amounts for energy, carbohydrates, fiber,
8 fat, fatty acids, cholesterol, protein, and amino
9 acids; and

10 (B) made recommendations regarding con-
11 sumption of trans fat.

12 (3) These recommendations included the fol-
13 lowing statement: “trans fatty acids are not essen-
14 tial and provide no known benefit to human health”.

15 (4) The Institute of Medicine concluded that—

16 (A) both saturated and trans fats increase
17 levels of LDL cholesterol; and

18 (B) trans fats may also lower levels of
19 HDL cholesterol.

20 (5) A 2006 New England Journal of Medicine
21 scientific review stated that “from a nutritional
22 standpoint, the consumption of trans fatty acids re-
23 sults in considerable potential harm but no apparent
24 benefit”.

1 (6) Based on this overwhelming scientific evi-
2 dence, in 2013, the Food and Drug Administration
3 issued a preliminary determination that partially hy-
4 drogenated oils, which are the primary dietary
5 source of artificial trans fats, are not “generally rec-
6 ognized as safe” for use as an ingredient in food.

7 (7) Notwithstanding such preliminary deter-
8 mination, certain foods will still contain a certain
9 level of naturally-occurring trans fats, and current
10 laws and regulations, which only require that the la-
11 beling of food containing a certain threshold amount
12 of trans fats bear that fact, will remain in effect.

13 **SEC. 3. DECLARATION OF TRANS FAT CONTENT OF LESS**
14 **THAN 0.5 GRAM PER SERVING ON THE LABEL**
15 **OR IN THE LABELING OF FOOD.**

16 (a) REQUIREMENT.—Not later than 180 days after
17 the date of the enactment of this Act, the Commissioner
18 of Food and Drugs shall promulgate a final regulation,
19 revising section 101.9(c)(2)(ii) of title 21 of the Code of
20 Federal Regulations and such other regulatory provisions
21 as may be necessary, to—

22 (1) require that the nutrition information on
23 the label or labeling on an applicable food contain an
24 asterisk or another similar notation and a note to in-

1 dicate that the food has a low trans fat content per
2 serving; and

3 (2) prohibit the label or labeling on an applica-
4 ble food from indicating that trans fat content per
5 serving is zero.

6 (b) APPLICABLE FOOD.—For purposes of this sec-
7 tion, the term “applicable food” means a food for which—

8 (1) the trans fat content of a serving of the
9 food is less than 0.5 gram and greater than 0.0
10 gram; and

11 (2) the trans fat content of a serving of the
12 food is declared in the nutrition information on the
13 label or in the labeling of the food.

14 (c) EFFECTIVE DATE.—The regulation promulgated
15 under subsection (a) shall take effect on the date that is
16 18 months after the date of the enactment of this Act.

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