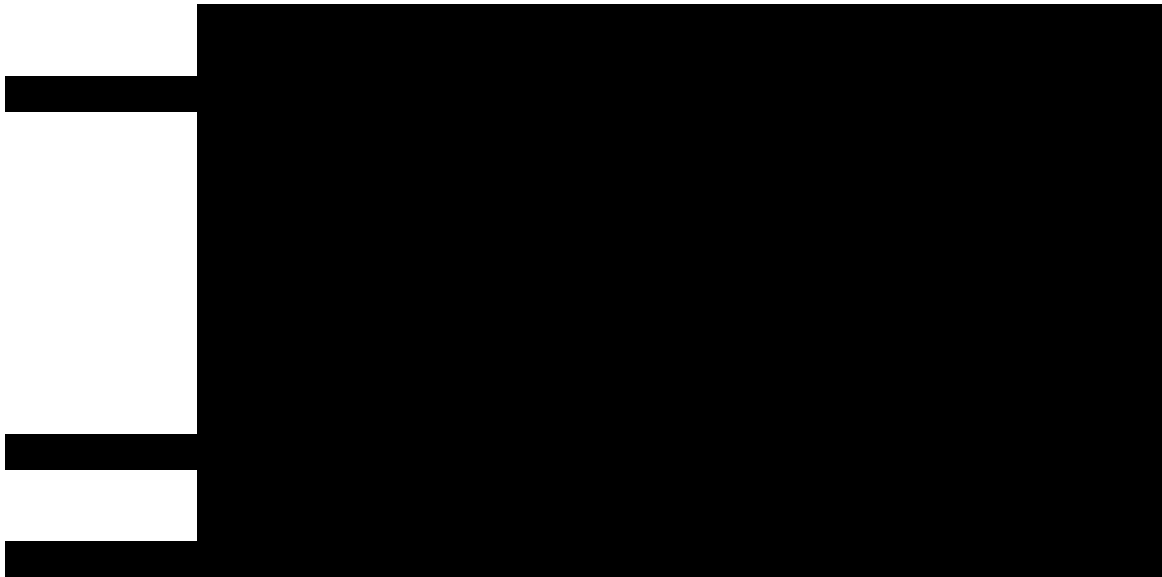




- x The bill would allow retailers to fabricate their own serving sizes. For example, a bakery callow

pizza chains
and other fast-food and chain restaurants to choose not to display calorie information inside the location, thus denying customers access to that information when ordering inside. For example, a restaurant could choose to either list calories inside the restaurant or on the drive-thru menu, withholding calorie information to a large number of customers.

- x The bill would exempt food establishments from providing calorie

- x Under this bill, a retailer could decide to post calorie information at the cash register, which is unhelpful to customers who need to have the information at the point of decision making.
- x The national uniformity provision would hamper state and local control, by preventing states and localities from petitioning the Food and Drug Administration (FDA) for any variations from the federal nutrition labeling approach. For example, Philadelphia has petitioned the FDA to continue to use their already-in-place menu labeling law, which studies have shown to be effective.
- x The certification provision would hamper enforcement by not requiring restaurants and other food establishments to keep records on nutrition information. Thus, there would be no way to substantiate the accuracy of the calorie and other nutrition information provided to the consumer.

Concerns about the national menu labeling law raised by industry around advertising and enforcement have been addressed through several guidance documents from the FDA. The most recent guidance was released in November of 2017, and we are confident that any further concerns can be addressed through technical assistance.

Studies have shown that menu labeling can help people make lower-calorie choices, and one found that menu labeling could prevent up to 41,000 cases of childhood obesity and save more than \$4.6 billion health care costs over ten years.

States and cities around the country already require menu labeling and the federal law will help industry streamline compliance. Nationally, many restaurants, grocery stores, convenience