

## Making a Nutrient or Health Claim

If you plan on using any words on your labels like “low-fat”, “sugar-free”, “a good source of”, etc., you should know that there are federal regulations that limit the kinds of claims you make and the context in which they may be used. Always check with an authoritative source on labeling to verify that the claims you are making are appropriate, correct, and allowed by regulations.

Should you choose to make a nutrient or health claim on your label, you will be required to also provide a nutrition facts label. Businesses that have claimed exemption from nutrition facts labeling will **lose their exemption status** if they make a label claim.

### Nutrient Claims

A nutrient claim is a claim on a food label that either implies or directly characterizes the level of a nutrient in the food (e.g., “low fat”, “high in fiber”, “Calorie free”). In order to make a specific nutrient claim, your food item must meet specific criteria that are allowable by the FDA. Nutrient content claims are based on the amount of food people usually eat or drink, which is known as a reference amount. A serving size and a reference amount are typically the same. However, they can be different. Most nutrient claims apply to the amount of nutrients available in the Daily Value. Daily Value is the percent of a nutrient provided by a serving of food based on a 2000-calorie a day diet.

Allowable Nutrient Claims were established by the Nutrition Labeling and Education Act of 1990. Table 1 lists synonyms that are allowed to be used in nutrient claims. For a complete list of allowable claims, and to understand nutrient claims in more detail, please see the FDA Guidance for Industry: A Food Labeling Guide, available at <http://www.fda.gov/Food/GuidanceComplianceRegulatoryInformation/GuidanceDocuments/FoodLabelingNutrition/FoodLabelingGuide/default.htm>.



## Health Claims

A health claim is any claim on the label that expressly or by implication characterizes the relationship of any substance in the food to a disease or health-related condition. Health claims are regulated very strenuously and care must be taken so that the food is not subject to be related as a drug rather than a food. All health claims made must be authorized by the FDA to verify the relationship between the food product and the health condition. Products that contain a health claim must include a defined amount of the nutrient that is directly linked to the health-related condition. The claim must also be clear that other factors (exercise, heredity) may influence the development of disease.

One health claim example: “Scientific evidence suggests but does not prove that eating 1.5 ounces per day of most nuts (such as almonds) as part of a diet low in saturated fat and cholesterol may reduce the risk of heart disease. [See nutrition information for fat content].”

For a list of allowable health claims, please see FDA Guidance for Industry: A Food Labeling Guide, Appendix C: Health Claims; and Appendix D: Qualified Health Claims. Currently available at:

### Appendix C: Health Claims

<http://www.fda.gov/Food/GuidanceComplianceRegulatoryInformation/GuidanceDocuments/FoodLabelingNutrition/FoodLabelingGuide/ucm064919.htm>

### Appendix D: Qualified Health Claims

<http://www.fda.gov/Food/GuidanceComplianceRegulatoryInformation/GuidanceDocuments/FoodLabelingNutrition/FoodLabelingGuide/ucm064923.htm>

Table 1. Synonyms allowable in label claims.

<b>Nutrient claim</b>	<b>Allowable synonym</b>
<b>Free</b>	“zero”, “no”, “without”, “trivial source of”, “negligible source of”, “dietarily insignificant source of”
<b>Low</b>	“little”, (“few” for calories), “contains a small amount of”, “low source of”
<b>Reduced/less</b>	“lower”

Table 2. An incomplete list of allowable nutrition claims according to the Nutrition Labeling and Education Act of 1990.

<b>Nutrient Claim</b>	<b>Nutrient Content Requirements Per Reference Amount Customarily Consumed (RACC)</b>
<b>Calorie free</b>	Contains less than 5 calories
<b>Low calorie</b>	40 calories or less
<b>Reduced/less calories</b>	At least 25% fewer calories per serving than an appropriate reference food
<b>Light or Lite</b>	Has at least 1/3 fewer calories or 50% less fat. If 50% or more of the calories are from fat, fat must be reduced by at least 50% per serving
<b>Fat free</b>	Less than 0.5 g
<b>Low fat</b>	3g or less (if the serving size is small, 3g of fat per 50 g of food)
<b>No saturated fat</b>	Less than 0.5 g saturated fat and less than 0.5 g trans fatty acids
<b>Low saturated fat</b>	1 g or less and 15% or less calories from saturated fat
<b>Reduced/less saturated fat</b>	At least 25% less saturated fat per serving than an appropriate reference food
<b>Reduced/less cholesterol</b>	At least 25% less cholesterol per serving than an appropriate reference food
<b>Sodium free</b>	Less than 5 mg
<b>Low sodium</b>	140 mg or less (and per 50 g if serving is small)
<b>Reduced/less sodium</b>	At least 25% less sodium per serving than an appropriate reference food
<b>Sugar free</b>	Less than 0.5 g sugars
<b>Low sugar</b>	May not be used, not defined
<b>Reduced/less sugar</b>	At least 25% less sugars per serving than an appropriate reference food
<b>High, Rich in, or Excellent Source Of</b>	Contains 20% or more than the DV
<b>Good Source, Contains, or Provides</b>	10-19% of the DV
<b>More, Fortified, Enriched, Added, Extra, or Plus</b>	10% more of the DV. May only be used for vitamins, minerals, protein, dietary fiber, and potassium.