

111TH CONGRESS
1ST SESSION

H. R. 3317

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

JULY 23, 2009

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 2009”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds as follows:

1 (1) The Institute of Medicine of the National
2 Academies advises the United States Government on
3 nutritional science for use in public policy and prod-
4 uct labeling programs.

5 (2) In 2002, the Institute of Medicine issued di-
6 etary reference intakes for energy, carbohydrate,
7 fiber, fat, fatty acids, cholesterol, protein, and amino
8 acids and made recommendations regarding con-
9 sumption of trans fat.

10 (3) These recommendations included a state-
11 ment that “trans fatty acids are not essential and
12 provide no known benefit to human health”.

13 (4) The Institute of Medicine concluded that
14 both saturated and trans fats increase levels of LDL
15 cholesterol and trans fats may also lower levels of
16 HDL cholesterol.

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

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

4 (a) **REQUIREMENT.**—Not later than 6 months after
5 the date of the enactment of this Act, the Commissioner
6 of Food and Drugs shall promulgate a final regulation re-
7 vising section 101.9(c)(2)(ii), and such other provisions as
8 may be necessary, of the Code of Federal Regulations to
9 require that—

10 (1) if the trans fat content of a serving of a
11 food is less than 0.5 gram, and

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

15 the trans fat content of a serving of the food shall be ex-
16 pressed through the use of an asterisk or other notation
17 stating that the trans fat content of a serving is less than
18 0.5 gram (instead of expressing the trans fat content as
19 zero).

20 (b) **EFFECTIVE DATE.**—The regulation promulgated
21 under subsection (a) shall take effect on the date that is
22 18 months after the date of the enactment of this Act.

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