



Comparison of MEAL, LEAN, and Compromise Menu Labeling Bills

	MEAL Act HR 3895	Labeling Education and Nutrition (LEAN) Act S3575	Compromise language included in Health Reform (June 2009)
Sponsors	Congresswoman Rosa DeLauro (D-CT)	Sen Tom Carper (D-DE) Sen Lisa Murkowski (R-AK) National Restaurant Association Amends Federal Food, Drug, Cosmetics Act, 21 USC 343(q)(5), section 403(q)(5)	Sen Tom Harkin (D-IA) Sen Tom Carper (D-DE) Sen Lisa Murkowski (R-AK)
Def, of Chain	<ul style="list-style-type: none"> ▪ 20 or more locations doing business under same trade name regardless of type of ownership 	<ul style="list-style-type: none"> ▪ 20 or more establishments under same trade name regardless of type of ownership 	<ul style="list-style-type: none"> ▪ 20 or more locations doing business under same name regardless of type of ownership
Printed Menus	<ul style="list-style-type: none"> ▪ Calories ▪ G sat fat plus trans fat ▪ Mg sodium ▪ Clear and conspicuous ▪ Adjacent to name of food 	<p>Make NUMBER OF CALORIES available prior to purchase by one of the following means:</p> <ul style="list-style-type: none"> --in the menu --in an insert accompanying the menu --in an appendix attached to the back of the menu --in a supplemental menu that comes with the menu 	<ul style="list-style-type: none"> ▪ Calories adjacent to item ▪ Clear and conspicuous ▪ Notification that other nutrient information will be provided in writing, on premises, at request of customer.
Menu Boards	<ul style="list-style-type: none"> ▪ Calories adjacent to item ▪ Clear and conspicuous ▪ Notification that other info (fat, sodium and RDA statement) will be provided in writing at request of customer. 	<p>Make NUMBER OF CALORIES available prior to purchase by one of the following means:</p> <ul style="list-style-type: none"> --a menu board --a sign that looks like the menu board and is located on the same wall --a sign at "eye level" in the consumer queue before the cash register: <p>IF CALORIES NOT LISTED ON MENU BOARD: must have statement prior to point of purchase directing consumer to additional information.</p>	<ul style="list-style-type: none"> ▪ Calories adjacent to item ▪ Clear and conspicuous ▪ Notification that other nutrient information will be provided in writing, on premises, at request of customer.

Include drive-thru menu boards?	No language	No language	Yes: calories adjacent to item
Include statement on # calories in typical daily diet?	Yes	Yes, if calories are not listed directly on menu or menu board, then requires a statement of suggested daily caloric intake as 2000 calories, or an alternative statement prescribed by the DHHS Secretary.	Yes, on menus, menu boards, and drive-thrus.
Nutrient information other than calories	<ul style="list-style-type: none"> ▪ In written form, available on premises and on request of the consumer 	<ul style="list-style-type: none"> ▪ Other information will be in writing, on the premises, available on request. ▪ The menu board, menu or “other writing” before the point of purchase will have a statement saying that this information is available. <p>Information will include:</p> <ul style="list-style-type: none"> ▪ calories, total fat, sat fat, cholesterol, sodium, carbohydrates, complex carbohydrates, sugars, dietary fiber, total protein 	<ul style="list-style-type: none"> ▪ In written form, available on premises and on request of the consumer
Calorie labeling at self-service facilities	<ul style="list-style-type: none"> ▪ At salad bar, buffet line, cafeteria line or similar facility, CALORIES listed on sign next to each food. 	No language	<ul style="list-style-type: none"> ▪ At salad bar, buffet line, cafeteria line or similar self-serve facility, for beverages or food visible to customers, CALORIES (per item or serving) listed on sign adjacent to each food.
Menu variability, combo meals	No language	No language	Secretary shall establish standards (ranges, averages etc.) for determining and disclosing nutrient content for menu items that come in flavors, varieties, or combinations, but are listed as single menu items.
Def. Standard Menu Item	Language does NOT apply to “daily specials, temporary menu items or other irregular items, as specified by regulation.	Food offered for sale at least 90 days per calendar year	<ul style="list-style-type: none"> ▪ Daily specials, temporary items that appear for fewer than 60 days ▪ Food part of market testing appearing on menu for fewer than 90 days
Non-applicability to certain foods	<ul style="list-style-type: none"> ▪ Items not listed on menu or board (condiments, other items placed on table or counter for general use) ▪ Daily specials, temporary menu items, irregular menu items 	<ul style="list-style-type: none"> ▪ Food sold in nonprofit food service 	<ul style="list-style-type: none"> ▪ Items not listed on menu or board (condiments, other items placed on table or counter for general use) ▪ Daily specials, temporary menu items, custom orders

Preempt state/local?	No: State or political subdivision can require nutrition information in addition to that required	Yes: no State or political subdivision may directly or indirectly establish any requirement for the labeling of food that is not identical	<ul style="list-style-type: none"> ▪ Yes: state or local laws on nutrient content disclosure are preempted ▪ No: State or local laws may require statements of warning concerning the safety of the food or component of the food
Vending Machines	<ul style="list-style-type: none"> ▪ If operator owns ≥ 20 machines, and if purchaser cannot read nutrition label of item: operator provides conspicuous sign in close proximity to item that includes CALORIES. 	No language	<ul style="list-style-type: none"> ▪ If operator owns ≥ 20 machines, and if purchaser cannot read nutrition label of item: operator provides conspicuous sign in close proximity to item that includes CALORIES
Effective Date(s)	<ul style="list-style-type: none"> ▪ 1 year after enactment: proposed regulations ▪ 2 years after: final regulations 	<ul style="list-style-type: none"> ▪ 1 year after enactment: proposed regulations ▪ 2 years after enactment: final regulations ▪ The Secretary can add nutrients to the list for disclosure as s/he determines necessary BUT s/he can also TAKE OUT nutrients not needed necessary to “assist consumers in maintaining healthy dietary practices.” 	<ul style="list-style-type: none"> ▪ Within 120 days of enactment, Secretary shall publish notice in Federal Register specifying terms and conditions for implementation ▪ 1 year after enactment: proposed regulations

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