

# THE COMMON SENSE NUTRITION DISCLOSURE ACT (CSNDA) FREQUENTLY ASKED QUESTIONS

SENATORS ROY BLUNT AND ANGUS KING

## **Why is the Common Sense Nutrition Disclosure Act (CSNDA) needed?**

The CSNDA recognizes the importance of menu labeling, but more importantly recognizes that there needs to be flexibility for businesses so the important nutritional information can be provided to customers in the most useful manner. It is not a smart approach to apply a one-size-fits-all standard to traditional restaurants, convenience stores, supermarkets, grocery stores, and pizza delivery. Clear differences exist. The CSNDA would require the FDA to revise its menu labeling regulations to account for the unique attributes of these types of entities *without* compromising consumers' access to nutrition information. In addition, FDA's menu labeling rules could expose restaurants and retailers to exceedingly harsh penalties, up to and including felony prosecutions. The CSNDA addresses this issue by ensuring restaurants and retailers are not unduly punished.

## **Doesn't a national menu labeling requirement reduce risks and provide more dependable consumer information?**

A national menu labeling standard is maintained under the CSNDA. However, the CSNDA's goal is to avoid customer confusion and provide some flexibility to retailers so the important nutrition information can be provided to customers effectively.

## **Who is covered under CSNDA?**

Restaurants and any "similar retail food establishment" that operate 20 or more locations under the same name, including chain supermarkets and convenience stores, would be covered under CSNDA.

## **Does the bill exempt pizza delivery restaurants from menu labeling requirements?**

No. Pizza restaurants will still be required to label. What CSNDA recognizes is differences in business types and that compliance can be met by labeling the most used menu, including options online or a mobile app. One-size-fits-all approach in "the how" labeling is done will not be effective.

## **Does CSNDA exempt supermarkets, grocers, convenience stores or other retail food establishments from menu labeling requirements?**

No. Supermarkets, grocers, and convenience stores will still be required to labeling. CSNDA recognizes the unique differences in business types and product offerings and will allow different business models to provide consumers the calorie information, but in a more effective way that meets the needs of the customer.

## **How does CSNDA ensure convenience and grocery store customers get nutritional information?**

CSNDA would allow convenience and grocery stores to meet menu labeling requirements via a single menu or a menu board. Currently, under the FDA rule a store would be required to post signage throughout the store. Stores are often dealing with limited space and one menu board in a convenience or grocery store provides consistency to consumers and more ease for individual businesses.

Organizations  
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## **How would CSNDA improve enforcement of the menu labeling rules?**

Under the FDA's regulations, even if a food establishment tries to comply with menu labeling requirements in good faith, mistakes could happen. If a store employee places an extra piece of cheese on a sandwich or a couple extra pieces of pepperoni on a pizza slice, this should not result in criminal exposure to that employee or the store manager. The CSNDA would eliminate criminal felony penalties for store managers and allows restaurants and retailers to take corrective actions. In addition, CSNDA would allow enforcement only by federal or state governments to avoid frivolous lawsuits.

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