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Paperwork Requirements

This proposed rule has been reviewed under the Paperwork Reduction Act and imposes no new paperwork or recordkeeping requirements.

List of Subjects

9 CFR Part 317

Food labeling, Food packaging, Meat inspection, Nutrition.

9 CFR Part 381

Food labeling, Food packaging, Nutrition, Poultry and poultry products.

Proposed Rule

For the reasons discussed in the preamble, FSIS is proposing to amend 9 CFR, Parts 317 and 381, as follows:

PART 317—LABELING, MARKING DEVICES AND CONTAINERS

1. The authority citation for 9 CFR part 317 continues to read as follows:

Authority: 21 U.S.C. 601-695; 7 CFR 2.18, 2.53.

2. Section 317.309 would be amended by revising paragraph (b)(12) to read as follows:

§ 317.309 Nutrition label content.

* * * * *

(b) * * *

(12) The serving size for meal-type products and main-dish products as defined in § 317.313(l) and § 317.313(m) in single-serving containers will be the entire edible content of the package. Serving size for meal-type products and main-dish products in multi-serve containers will be based on the reference amount applicable to the product in § 317.312(b) if the product is listed in § 317.312(b). Serving size for meal-type products and main-dish products in multi-serve containers that are not listed in § 317.312(b) will be based on the reference amount according to § 317.312(c), (d), and (e).

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3. Section 317.313 would be amended by revising paragraph (l) and by adding paragraph (m) to read as follows:

§ 317.313 Nutrient content claims; general principles

* * * * *

(l) For purposes of making a claim, a "meal-type" product will be defined as a product that:

(1) Makes a major contribution to the diet by

(i) Weighing at least 10 ounces per labeled serving, and

(ii) Containing not less than three 40 gram portions of food, or combinations of foods, from two or more of the following four food groups, except as noted in paragraph (l)(1)(ii)(E) of this section:

(A) Bread, cereal, rice, and pasta;

(B) Fruits and vegetables;

(C) Milk, yogurt, and cheese;

(D) Meat, poultry, fish, dry beans, eggs, nuts; except that:

(E) These foods will not be sauces (except for foods in the four food groups in paragraphs (l)(1)(ii)(A) through (D) of this section, that are in the sauces), gravies, condiments, relishes, pickles, olives, jams, jellies, syrups, breadings, or garnishes; and

(2) Is represented as, or is in the form commonly understood to be, a breakfast, lunch, dinner, meal, or entree. Such representations may be made either by statements, photographs, or vignettes.

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§ 317.354 [Amended]

4. Section 317.354 would be amended as follows:

a. By adding the phrase "and main-dish products as defined in § 317.313(m)," after the phrase "meal-type products as defined in § 317.313(l)," whenever it occurs in the introductory text of paragraphs (b)(1), (c)(1), and (e)(1).

b. By adding the phrase "and main-dish product as defined in

§ 317.313(m)" after the phrase "meal-type product as defined in § 317.313(l)," whenever it occurs in the introductory text of paragraphs (b)(2) and (c)(2).

c. By adding the phrase "or a main-dish product" after the phrase "meal-type product" in paragraphs (d)(1) and (e)(2)(ii)(B).

§ 317.356 [Amended]

5. Section 317.356 would be amended as follows:

a. By adding the phrase "and main-dish products as defined in § 317.313(m)" after the phrase "meal-type products as defined in § 317.313(l)," whenever it occurs in paragraphs (b) introductory text and paragraph (c)(3).

b. By adding the phrase "and main-dish product as defined in § 317.313(m)" after the phrase "meal-type product as defined in § 317.313(l)," whenever it occurs in paragraphs (d)(1) introductory text and paragraph (d)(2)(i).

§ 317.360 [Amended]

6. Section 317.360 would be amended as follows:

a. By adding the phrase "and main-dish products as defined in § 317.313(m)" after the phrase "meal-type products as defined in § 317.313(l)," whenever it occurs in the introductory text of paragraphs (b)(2), (b)(4), and (c)(4).

b. By adding the phrase "and main-dish product as defined in § 317.313(m)" after the phrase "meal-type product as defined in § 317.313(l)," whenever it occurs in the introductory text of paragraphs (b)(3), (b)(5), and (c)(5).

c. By adding the phrase "or a main-dish product" after the phrase "a meal-type product" in paragraph (c)(1)(i).

§ 317.361 [Amended]

7. Section 317.361 would be amended as follows:

a. By adding the phrase "and main-dish products as defined in § 317.313(m)," after the phrase "meal-type products as defined in § 317.313(l)," whenever it occurs in the introductory text of paragraphs (b)(2), (b)(4), and (b)(6).

b. By adding the phrase "and main-dish product as defined in § 317.313(m)" after the phrase "meal-type product as defined in § 317.313(l)," whenever it occurs in the introductory text of paragraphs (b)(3), (b)(5), and (b)(7).

c. By adding the phrase "or a main-dish product" after the phrase "a meal-type product" in paragraph (b)(1)(i).