

October 2017 Update on Date Label Legislation and Industry Action



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- ▶ Action-learning program for law students
- ▶ 4 main policy areas



Recent Research – ReFED Roadmap

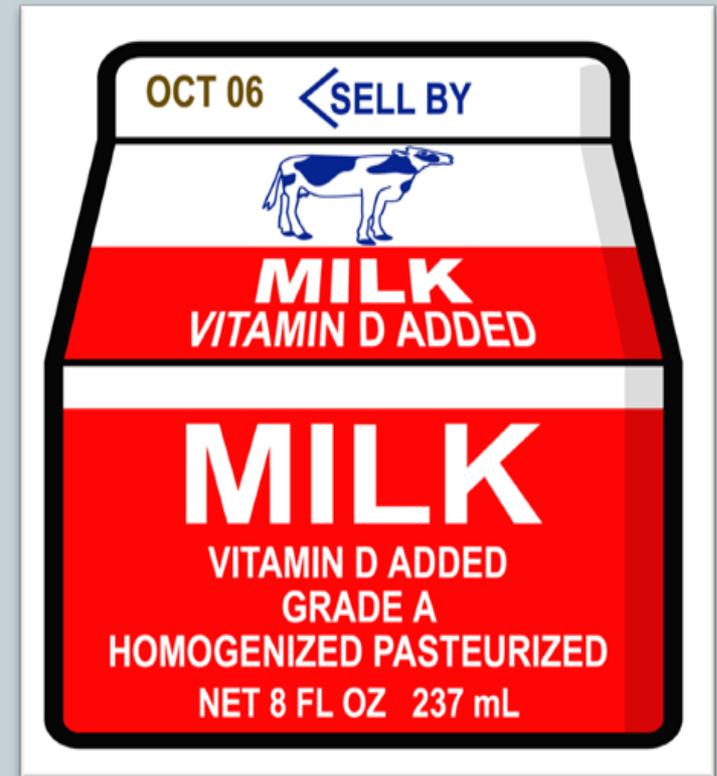


MARGINAL FOOD WASTE ABATEMENT COST CURVE



Federal Date Label Standards

- Date labels are generally **undefined in law**, and are just manufacturer **suggestions** of peak quality
- No federal standard exists for expiration dates*
- In the absence of federal regulation, inconsistent state laws developed



* With the exception of infant formula

Federal Date Labeling Legislation



- **Food Recovery Act of 2017**
 - Senator Richard Blumenthal
 - Congresswoman Chellie Pingree
- **Would mandate “BEST if used by” and “USE by” quality and safety labels**
 - Consistent with GMA/FMI and Consumer Goods Forum voluntary industry standards
- **Supersede state labeling laws to make date labeling practices uniform across the country**

State Date Labeling Laws



- States are beginning to move to standardize date labels on foods within their borders.
- Last week, California Governor Jerry Brown signed AB 954
 - “BEST if Used by” or “BEST if Used or Frozen by” for quality
 - “USE by” or “USE or Freeze by” for safety

Industry Voluntary Standard: U.S.



- GMA and FMI recently put forth voluntary standards
 - “BEST if used by” for quality
 - “USE by” for safety
- Aim for widespread adoption by 2018
- More than half of the states could not implement standards due to current state date labeling laws



Consumer Goods Forum Global Initiative



- Last month, the Consumer Goods Forum began asking its 400+ members around the globe to simplify and standardize date labels.
 - “Best if used by” for quality
 - “Use by” for safety
- Aim for widespread adoption by 2020
- Like the GMA/FMI voluntary standard, more than half of the states could not currently comply



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