



Affordable Care Act: Restaurant Menu Labeling

Overweight and obesity contribute to 14 to 20 percent of all cancer deaths, and are associated with increased risk for several cancers, including colon, esophagus, kidney, endometrial, and breast cancer in postmenopausal women.

Poor nutrition is a major contributor to overweight and obesity. Americans' increased consumption of high-calorie convenience foods, beverages, and meals outside the home and increased portion sizes have substantially contributed to the obesity epidemic. Additionally, people cannot accurately assess the nutritional value of their meal unless the information is provided.

Restaurant menus and menu boards offer a significant opportunity to inform consumers and promote awareness for making healthy eating choices. Additionally, restaurants may be encouraged to include more healthful food options on their menus to increase the attractiveness of their business.

The American Cancer Society Cancer Action Network (ACS CAN) previously advocated at the state and local levels for menu labeling provisions similar to what was included in the Affordable Care Act. ACS CAN will continue to advocate against provisions that preclude state and local governments from implementing their own policies.

Menu labeling will empower Americans to make healthier food and beverage choices, ultimately improving health and wellness.

Menu Labeling in the Affordable Care Act

- The Secretary of Health and Human Services must issue proposed regulations regarding menu labeling within one year of enactment
- In restaurant chains with 20 or more locations nationally:
 - Requires calories on menus and menu boards, including drive-throughs, and food item tags
 - Requires a statement on all menus and menu boards, including drive-throughs, describing suggested daily calorie intake
 - Requires other nutritional information to be available to the consumer in written form upon request
- Requires calories on items sold in vending machines operated by an individual who owns or operates 20 or more vending machines
- Preempts any state or local policy for restaurants with 20 or more chains nationally that is not identical to the federal law

Implications for the American Cancer Society and ACS CAN

- ACS CAN will continue to advocate for menu labeling policies in restaurant chains with fewer than 20 locations nationally
- ACS CAN will work with the Food and Drug Administration (FDA) through the rulemaking process to ensure that consumers are best informed about the nutritional quality of their food.
- ACS CAN will work with the FDA and others to determine the effect of the federal law on current and proposed state and local menu labeling laws.