

# LEGISLATION AND REGULATIONS

## Officials Examining Dietetic Foods

THE RECENT resolution of the American Association of Food Control Officials concerning the use of synthetic sweeteners in foods, has again focused attention on this problem for food processors and nutritionists.

Until 1941 the addition of synthetic sweeteners to foods was an adulteration in that it was considered to be the substitution for a normal ingredient, sugar.

In 1941 the position of the FDA was officially altered to approval of foods containing saccharin if the foods were manufactured and labeled for special dietary purposes. In the administrative order special dietary foods by the FDA special label requirements were established. The percentage by weight of principal nutritional ingredients had to be stated as well as a statement regarding the number of calories supplied by a specified quantity of the food. Non-nutritive constituents, as saccharine could be included in these special foods but a special label statement was required by the FDA to the effect that the

food contained a certain percentage by weight of saccharin and was of use only by persons who had to restrict their consumption of sweets.

The question of use of synthetic sweeteners seemed rather quiet until recently when the nation was gradually engulfed in the calorie counting and diet phenomena. The apparent search for "the lean and hungry look" as a national quest has resulted in a reexamination of the special foods market by a number of food processors. Nutritionists and food control officials are also examining the calorie slump from a somewhat different point of view.

### State Laws and Regulations

Most of the state food and drug laws are modeled on the Federal Food and Drug Act. About 28 states have legally recognized special dietary foods by law or regulation. In these states the labeling requirements generally follow the federal law.

During the 1953 sessions of the state legislatures the laws in Florida, Maine, Minnesota, and Wisconsin were amended to recognize special dietary foods. These regulations provide specific labeling requirements to explain the uses of the foods to the consumers.

Two years ago the FDA announced that it would grant temporary permits to food processors for special dietetic foods. These temporary permits while not approving of the special foods were necessary for food packers who wanted to transport their products in interstate commerce and they serve to permit processors to pack foods not conforming to existing food standards.

In the past two years, since the FDA began granting these temporary permits, there has been a great increase in applications for permits by food processors. It seems likely that in the not too distant future the FDA will be ready to consider the question of whether or not standards should be established for these foods.

The production of dietetic foods from sugar free cling peaches to calorie free soda pop has suddenly burgeoned into a lucrative business for food processors but the future may be anything but secure.



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