

Do you care how many calories are stuffed in your cheeseburger? What about a slice of sausage and pepperoni pizza? Or a creme brulee? Calorie-conscious or not, diners in a year will know precisely how many calories they're consuming when ordering from certain restaurant menus or menu boards. By December 2015, restaurants and other food establishments—including bakeries, coffee shops and certain convenience stores and places of entertainment—that are part of a chain with 20 or more locations must have calorie content clearly displayed on their menus, menu boards and displays. The Food and Drug Administration recently issued the final rules, which are intended to give consumers more information in a consistent, easy-to-understand way. The calorie-labeling rules have been four years in the making after becoming law in 2010 as part of the Affordable Care Act.

Backers of the rules hope they will help consumers make informed choices when eating out. "Americans eat and drink about one-third of their calories away from home and people today expect clear information about the products they consume," FDA Commissioner Margaret Hamburg said in a written statement. Counting on change The new rules won't impact small independent restaurants with one or just a few locations, said Jeff Davis, chairman of Tulsa-based US Beef Corp., Arby's largest franchisee. But for bigger chains such as Arby's, the rules apply. Costs to make the change at all of US Beef's Arby's locations, which include 323 restaurants throughout the Midwest and western United States, are expected to be \$215 to \$300 a store, Davis said. Davis noted that Arby's provides nutritional information and calorie content on its website and upon request in restaurants. "You always hate to have the government come down and tell you what you can do and what you can't do," said Davis, who also serves on the board of the National Restaurant Association. "But in this case through collaboration with the National Restaurant Association and the FDA, it's a case where government and private business have worked really well together to come out with something that makes sense. It's good for the consumers, the customers all across the country." Not everyone favors the new

rules, however. Both the National Grocers Association and the Food Marketing Institute have lambasted the calorie-labeling rules for including supermarkets and grocery stores. "FDA used a five-word clause in the 3,000-page Affordable Care Act to expand chain restaurant menu labeling rules to grocery stores," FMI President and CEO Leslie Sarasin said in a release. "Grocery stores already provide an abundance of nutritional information well beyond calories and have done so for decades. They should not be pulled into a menu-labeling law and regulation designed for a different industry." Tulsa-based QuikTrip, which has more than 700 convenience store locations in 11 states with its QT Kitchens, will also be affected. "We will be

in compliance," QT spokesman Mike Thornbrugh said. "It's unfortunate that it doesn't affect everyone in our business. It's only for those who have more stores than others. If

the rule is fair and equitable across the board, we may not like it,

but that's fine. I don't know why they exempted people if their intent is

to get information out to the consumer. "We know there is legislation that is

currently filed and has been filed to alter it. Whether or not that's going

to happen or change it, I don't know. "Consistency is key Having national standards

instead of individual state guidelines will benefit consumers and restaurants because restaurants will work from the same guidelines and display calorie information in a similar way, said Sheri

Miksa, president and CEO of Mazzio's LLC. Mazzio's has 136 restaurants in 10 states.

"We've always believed that our guests should have options, and we've always believed in providing those and providing information that will be helpful to people in making their

informed choices," said Miksa. "The fact that there are national guidelines instead of state-specific guidelines, which often varied dramatically from one state to another, it does make it

easier for us to operate by having a national standard of what is expected."

Larger cities, including New York City, already require restaurants to list calorie information. Some

restaurants, including McDonald's, Panera Bread and Chick-fil-A, do so as well. "Chick-fil-A added calorie counts to our menu boards 20 months before it was required because we felt

like it was the right thing to do," Chick-fil-A spokeswoman Tiffany Greenway said. "We believe in making it easy for our guests to make informed choices. It's the same reason we print nutrition information on receipts at the register when asked and why we make it easy to find on our mobile app." Oklahoma City-based Sonic Corp. also supports adopting national calorie-labeling standards as opposed to having a "hodgepodge" of local requirements, said Christi Woodworth, Sonic's senior director of communications. Sonic has over 3,500 drive-in restaurants in 44 states. "I think for those consumers who are interested in that information, putting it on the menu makes it easy for them to find," Woodworth said. She emphasized that the new policy applies to standard menu items, not to limited or seasonal items that appear on the menu for less than 60 days. The new rules will lead to consistency, said Woodworth, noting that Sonic already changes its menus twice a year. For several years, the restaurant chain has provided nutritional information online. Calorie information will have to be listed next to the product or very close to it and may have to be the same size as the price, Davis said. "It's going to clutter up the menu board a lot," he said. "So I'm not sure (restaurants) would just do it voluntarily for the heck of it. The fact it's what our consumers want, that's a good enough reason for me. There really is no downside to it. We've already tried to be very open and honest about what we serve. We want them to be informed so they can choose the best product." Catering to consumers Menus and menu boards also must include a reminder that "2,000 calories a day is used for general nutrition advice, but calorie needs vary." Consumers also will be able to ask for additional written nutrition information beyond calories, which will include sugars, cholesterol, sodium, total carbohydrates and more, according to the FDA. It will be interesting to see how the industry interprets the calorie-labeling law while still offering guests flexibility in creating their own meals, Miksa said. Customization, she noted, is a current trend shaping the restaurant

industry. At Mazzio's, customers can create their own lasagna or pizza. The discussion about nutrition guidelines and labeling has been ongoing for years, Miksa said. If people have more information, they are empowered to make choices about their dietary needs. "It really is becoming a world where more and more people want choices and people want

options when they eat out," Miksa said. Laurie Winslow 918-581-8466 laurie.winslow@tulsaworld.com Subscribe

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